

**OFFICIAL JOURNAL  
OF THE  
SENATE  
OF THE  
STATE OF LOUISIANA**

**THIRTY-NINTH DAY'S PROCEEDINGS**

**Thirtieth Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Tuesday, June 8, 2004

The Senate was called to order at 2:00 o'clock P.M., by Hon. Donald E. Hines, President of the Senate.

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

**ABSENT**

Cain  
Total—1

The President of the Senate announced there were 38 Senators present and a quorum.

**Prayer**

The prayer was offered by Christian Sonnier, following which the Senate joined in pledging allegiance to the flag of the United States of America.

**Reading of the Journal**

On motion of Senator Mount, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Messages from the Governor**

The following messages from the Governor were received and read as follows:

**STATE OF LOUISIANA**

Office of the Governor

June 7, 2004

The Honorable Glenn Koepp  
Secretary of the Senate  
State Capitol  
Baton Rouge, LA 70804

Re: House Bill No. 1167 by Representative Pinac  
TOURISM/COMMISSION: Provides relative to the membership of the Louisiana Tourism Development Commission and the board of directors of the Louisiana Tourism Promotion District.

Dear Mr. Koepp:

After discussion of my concerns about House Bill No. 1167 with the bill's author and the secretary of the Department of Culture, Recreation and Tourism, I have decided to veto it. While I support the overall purpose of the bill, I am concerned that amendments added in committee diminish the role of the Tourism Promotion District.

For this reason, I have vetoed House Bill No. 1167 and returned it to the House of Representatives.

Sincerely,  
**Kathleen Babineaux Blanco**  
Governor

**Message from the House**

**RELATIVE TO A GUBERNATORIAL VETO**

June 8, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has sustained the gubernatorial veto of the following House Bill No. 1167.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 8, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 119 by Representative Toomy:

Representatives Toomy, Johns and Townsend.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

### **Message from the House**

#### **ADOPTION OF CONFERENCE COMMITTEE REPORT**

June 8, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 272.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

### **Message from the House**

#### **CONCURRING IN SENATE CONCURRENT RESOLUTIONS**

June 8, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

#### **SENATE CONCURRENT RESOLUTION NO. 138— BY SENATOR JACKSON**

##### **A CONCURRENT RESOLUTION**

To urge and request the Board of Regents to study the creation of the Louisiana State University HealthSciences Center in Shreveport as a statutorily defined component of Louisiana State University under the supervision and management of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College.

Reported without amendments.

#### **SENATE CONCURRENT RESOLUTION NO. 146— BY SENATOR THEUNISSEN**

##### **A CONCURRENT RESOLUTION**

To recognize and commend Ann Knapp for her accomplishments and contributions to the Board of Supervisors of Community and Technical Colleges and for her tenure as the chair during 2002-2003 and 2003-2004.

Reported without amendments.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

### **Privilege Report of the Legislative Bureau**

June 8, 2004

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

#### **HOUSE BILL NO. 69—**

BY REPRESENTATIVE ANSARDI  
AN ACT

To amend and reenact Children's Code Articles 607(A), 666(B), 884(B), and 1016(B), relative to the protection of children; to provide with respect to counsel appointed for a child; to provide for adjudication orders of a child's family in need of services; to provide for the right to counsel when the child is in the custody of the state; and to provide for related matters.

Reported without amendments.

#### **HOUSE BILL NO. 108—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To amend and reenact Code of Civil Procedure Article 2412(A), relative to garnishments; to provide for notice of garnishment to the judgment debtor; and to provide for related matters.

Reported without amendments.

#### **HOUSE BILL NO. 126—**

BY REPRESENTATIVES ANSARDI AND LANCASTER  
AN ACT

To amend and reenact R.S. 13:3727, relative to the admissibility of evidence; to provide for the presumption of originality; to provide for the period of time for which an instrument is required to be recorded; and to provide for related matters.

Reported without amendments.

#### **HOUSE BILL NO. 128—**

BY REPRESENTATIVES ANSARDI AND LANCASTER  
AN ACT

To amend and reenact Code of Civil Procedure Article 4134(A) and to enact Code of Civil Procedure Article 4134(D), relative to tutorship; to provide for the recordation of a certificate of inventory; to require the inclusion of certain information; to provide for the prescription of the minor's mortgage; to provide for the cancellation of the mortgage; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 129—**

BY REPRESENTATIVES ANSARDI AND LANCASTER  
AN ACT

To amend and reenact R.S. 9:5166, relative to judgments; to provide for the partial cancellation of judgments; to provide for the filing of an affidavit; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 161—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To enact R.S. 13:2588, relative to justices of the peace; to authorize justices of the peace to charge a fee for performing marriage ceremonies; to establish a maximum fee which justices of the peace may charge for performing marriage ceremonies; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 165—**

BY REPRESENTATIVES ANSARDI AND LANCASTER  
AN ACT

To enact R.S. 9:5169.1, relative to mortgages; to provide for the erasure of mortgages; to provide for the form for erasure; to provide for the execution of a release by the holder of the promissory note; to require the cancellation of a mortgage by the clerks of court and recorder of mortgages; to provide for an exemption from liability; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 166—**

BY REPRESENTATIVES ANSARDI AND LANCASTER  
AN ACT

To amend and reenact R.S. 20:1(D), relative to the homestead exemption from seizure; to provide for the waiver of the homestead exemption; to provide for the separate property of a spouse; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 169—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To amend and reenact Code of Civil Procedure Article 1235.1, relative to service of process on persons; to provide procedures for service on incarcerated persons; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 182—**

BY REPRESENTATIVE JACKSON  
AN ACT

To enact R.S. 13:1904.1, relative to the destruction of certain records in the City Court of Baton Rouge; to authorize the clerk of court to destroy certain civil and criminal records; to provide for time limitations in the destructions of records; to provide for requirements prior to destruction; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 254—**

BY REPRESENTATIVES ANSARDI AND LANCASTER  
AN ACT

To amend and reenact R.S. 9:2092(B)(2), relative to trust instruments; to provide for the effect against third parties for the failure of an inter vivos trust instrument to be in proper form; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 964—**

BY REPRESENTATIVES WHITE, MCVEA, AND HONEY  
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E)(1) and (H), relative to the jurisdiction of city courts; to increase the jurisdictional amount in dispute in the City Court of Zachary; to increase the jurisdictional amount of a city court with territorial jurisdiction in a city with a certain population; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1495—**

BY REPRESENTATIVE BADON  
AN ACT

To amend and reenact Code of Civil Procedure Article 2293(C), relative to notice of seizure of immovable property; to provide for notice to be given to tenants of seized property; and to provide for related matters.

Reported without amendments.

Respectfully submitted,  
ARTHUR J. "ART" LENTINI  
Chairman

**Adoption of Legislative Bureau Report**

On motion of Senator Lentini, the Bills and Joint Resolutions were read by title and passed to a third reading.

**Introduction of Resolutions,  
Senate and Concurrent**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 115—**

BY SENATORS ROMERO, AMEDEE, CHAISSON, DUPLESSIS, DUPRE, ELLINGTON, FONTENOT, N. GAUTREAUX, HINES, HOLLIS, JACKSON, JONES, MALONE, MARIONNEAUX, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

**A RESOLUTION**

To memorialize the Congress of the United States to defeat legislation creating the Central American Free Trade Agreement.

The resolution was read by title. Senator Romero moved to adopt the Senate Resolution.

Senator Hainkel objected.

# Page 4 SENATE

June 8, 2004

## 39th DAY'S PROCEEDINGS

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fontenot	McPherson
Amedee	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Duplessis	Jackson	Schedler
Dupre	Jones	Smith
Ellington	Malone	Theunissen
Fields	Marionneaux	Ullo
Total—27		

#### NAYS

Bajoie	Hainkel	Irons
Total—3		

#### ABSENT

Adley	Cain	Heitmeier
Barham	Cravins	Kostelka
Boasso	Dardenne	Lentini
Total—9		

The Chair declared the Senate had adopted the Senate Resolution.

### SENATE CONCURRENT RESOLUTION NO. 147— BY SENATOR N. GAUTREAUX

#### A CONCURRENT RESOLUTION

To commend and congratulate Bonaventure Fire Company of Rayne, Louisiana, on its initiation of construction of a state-of-the-art manufacturing facility and its many contributions to the Acadia Parish area.

The resolution was read by title. Senator N. Gautreaux moved to adopt the Senate Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Ellington	Marionneaux
Adley	Fields	McPherson
Amedee	Fontenot	Michot
Bajoie	Gautreaux, B	Mount
Barham	Gautreaux, N	Nevers
Boasso	Holden	Romero
Boissiere	Hollis	Schedler
Chaisson	Irons	Smith
Cheek	Jackson	Theunissen
Cravins	Jones	Ullo
Duplessis	Lentini	
Dupre	Malone	
Total—34		

#### NAYS

Total—0

#### ABSENT

Cain	Hainkel	Kostelka
Dardenne	Heitmeier	
Total—5		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

### SENATE CONCURRENT RESOLUTION NO. 148— BY SENATOR FIELDS

#### A CONCURRENT RESOLUTION

To urge and request the Senate and House committees on transportation, highways and public works to meet and function as a joint committee for the purpose of studying and making recommendations regarding the operation of locomotives by remote control.

The resolution was read by title. Senator Fields moved to adopt the Senate Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boasso	Gautreaux, N	Nevers
Boissiere	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Lentini	
Total—35		

#### NAYS

Total—0

#### ABSENT

Cain	Heitmeier
Hainkel	Kostelka
Total—4	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

### SENATE CONCURRENT RESOLUTION NO. 149— BY SENATOR LENTINI

#### A CONCURRENT RESOLUTION

To create the Louisiana Commission on Decision-Making of Persons with Cognitive Disabilities to study resources currently in place to assist such persons with decision-making and to determine the feasibility of implementing a surrogate decision-making

program in Louisiana in order to ensure that people with cognitive disabilities have access to impartial assistance with decision-making.

The resolution was read by title. Senator Lentini moved to adopt the Senate Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Barham	Hainkel	Mount
Boasso	Holden	Nevers
Boissiere	Hollis	Romero
Chaisson	Irons	Schedler
Cheek	Jackson	Smith
Duplessis	Jones	Theunissen
Dupre	Kostelka	Ullo
Ellington	Lentini	
Total—35		

#### NAYS

Total—0

#### ABSENT

Cain	Dardenne
Cravins	Heitmeier
Total—4	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

### SENATE CONCURRENT RESOLUTION NO. 150— BY SENATORS N. GAUTREAUX, HINES, AND HAINKEL A CONCURRENT RESOLUTION

To extend sincere and heartfelt condolences upon the death of President Ronald Reagan and to express enduring appreciation for his singular contributions and achievements.

The resolution was read by title. Senator Hainkel moved to adopt the Senate Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers

Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

#### NAYS

Total—0

#### ABSENT

Cain  
Total—1

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

### SENATE CONCURRENT RESOLUTION NO. 151— BY SENATOR BAJOEIE

#### A CONCURRENT RESOLUTION

To establish a group to study and make recommendations regarding assisted living communities in Louisiana to ensure that sound public policy, regulations, and laws are based upon best practices.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Health and Welfare.

### Messages from the House

The following Messages from the House were received and read as follows:

### Message from the House

### ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

June 8, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

### HOUSE BILL NO. 777— BY REPRESENTATIVES HAMMETT, HILL, KENNEY, MONTGOMERY, TOWNSEND, FRITH, AND FUTRELL

#### A JOINT RESOLUTION

Proposing to amend Article VII, Section 4(C) of the Constitution of Louisiana, to prohibit the taxation of motor fuel, gasoline, or certain diesel fuel by a political subdivision of the state; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

**HOUSE BILL NO. 1188—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 11:1402(6), 1410(B), 1412, 1457(C)(3) and (4), 1458(B)(1) and (2)(a) and (b), (3), and (4), (D), and (E) and to enact R.S. 11:1411(D), relative to the Assessors' Retirement Fund; to provide with respect to tax qualification of the system; and to provide for related matters.

**HOUSE BILL NO. 1256—**

BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS HEITMEIER AND HINES

AN ACT

To amend and reenact R.S. 39:1496.1(E)(1) and (3) and Section 2 of Act 989 of the 2003 Regular Session of the Legislature, relative to performance-based energy efficiency contracts; to provide for review and execution of such contracts; to provide for the review and evaluation of such contracts; to provide for the effectiveness of the provisions of the Act; and to provide for related matters.

**HOUSE BILL NO. 1357—**

BY REPRESENTATIVE STRAIN

AN ACT

To enact Chapter 20-B-6 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3042.61 through 3042.66, relative to a loan program for certain veterinary students; to authorize the Louisiana Student Financial Assistance Commission to make loans to certain students enrolled in certain veterinary programs; to provide for legislative findings and purpose, definitions, eligibility requirements, commission rules and regulations, loan amounts, loan forgiveness, contract requirements, and funding; and to provide for related matters.

**HOUSE BILL NO. 1722 (Substitute for House Bill No. 408 by Representative Flavin)—**

BY REPRESENTATIVE FLAVIN

AN ACT

To enact R.S. 46:2304, relative to Indian gaming compacts; to provide for notice to affected parish governing authorities prior to the governor signing a Tribal-State Class III gaming compact; to provide for definitions; and to provide for related matters.

**HOUSE BILL NO. 1084—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 11:1481(1)(a)(ii) and to enact R.S. 11:1481(1)(a)(iii), relative to payments to the Louisiana Assessors' Retirement Fund; to provide for board certification of receipt of remission of taxes; to provide for certification to the legislative auditor of any shortfall in taxes remitted and the cause therefor; to provide for certification by the legislative auditor of the shortfall; to provide for remedies for failure to remit taxes to the fund including additional payments by the delinquent entity; to authorize the board to make demand upon the treasurer for any continued failure to remit taxes due the fund; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 1009—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 11:1561, relative to the Clerks' of Court Retirement and Relief Fund; to provide with respect to demand upon the state treasurer for delinquent dedicated tax revenue; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 1627—**

BY REPRESENTATIVE MARCHAND

AN ACT

To enact R.S. 40:1299.25, relative to lead poisoning prevention and control; to provide for the identification of high-risk areas by the Department of Health and Hospitals; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions**

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

**HOUSE BILL NO. 777—**

BY REPRESENTATIVES HAMMETT, HILL, KENNEY,  
MONTGOMERY, TOWNSEND, FRITH, AND FUTRELL

A JOINT RESOLUTION

Proposing to amend Article VII, Section 4(C) of the Constitution of Louisiana, to prohibit the taxation of motor fuel, gasoline, or certain diesel fuel by a political subdivision of the state; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 1009—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 11:1561, relative to the Clerks' of Court Retirement and Relief Fund; to provide with respect to demand upon the state treasurer for delinquent dedicated tax revenue; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Retirement.

**HOUSE BILL NO. 1084—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 11:1481(1)(a)(ii) and to enact R.S. 11:1481(1)(a)(iii), relative to payments to the Louisiana Assessors' Retirement Fund; to provide for board certification of receipt of remission of taxes; to provide for certification to the legislative auditor of any shortfall in taxes remitted and the cause therefor; to provide for certification by the legislative auditor of the shortfall; to provide for remedies for failure to remit taxes to the fund including additional payments by the delinquent entity; to authorize the board to make demand upon

the treasurer for any continued failure to remit taxes due the fund; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Retirement.

**HOUSE BILL NO. 1188—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 11:1402(6), 1410(B), 1412, 1457(C)(3) and (4), 1458(B)(1) and (2)(a) and (b), (3), and (4), (D), and (E) and to enact R.S. 11:1411(D), relative to the Assessors' Retirement Fund; to provide with respect to tax qualification of the system; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Retirement.

**HOUSE BILL NO. 1256—**

BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS HEITMEIER AND HINES

AN ACT

To amend and reenact R.S. 39:1496.1(E)(1) and (3) and Section 2 of Act 989 of the 2003 Regular Session of the Legislature, relative to performance-based energy efficiency contracts; to provide for review and execution of such contracts; to provide for the review and evaluation of such contracts; to provide for the effectiveness of the provisions of the Act; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

**HOUSE BILL NO. 1357—**

BY REPRESENTATIVE STRAIN

AN ACT

To enact Chapter 20-B-6 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3042.61 through 3042.66, relative to a loan program for certain veterinary students; to authorize the Louisiana Student Financial Assistance Commission to make loans to certain students enrolled in certain veterinary programs; to provide for legislative findings and purpose, definitions, eligibility requirements, commission rules and regulations, loan amounts, loan forgiveness, contract requirements, and funding; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Education.

**HOUSE BILL NO. 1627—**

BY REPRESENTATIVE MARCHAND

AN ACT

To enact R.S. 40:1299.25, relative to lead poisoning prevention and control; to provide for the identification of high-risk areas by the Department of Health and Hospitals; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Health and Welfare.

**HOUSE BILL NO. 1722 (Substitute for House Bill No. 408 by Representative Flavin)—**

BY REPRESENTATIVE FLAVIN

AN ACT

To enact R.S. 46:2304, relative to Indian gaming compacts; to provide for notice to affected parish governing authorities prior to the governor signing a Tribal-State Class III gaming compact; to provide for definitions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

June 8, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 189—**

BY REPRESENTATIVES LABRUZZO AND SCALISE

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to send all the necessary and proper information to the Federal Railroad Administration, the Norfolk Southern Railroad, and the Jefferson Parish Sheriff's Office which is required, according to the Federal Railroad Administration's interim final rule regarding the use of horns at highway-rail crossings, to preserve and continue the railroad "quiet zone" in the Old Metairie corridor in Jefferson Parish.

**HOUSE CONCURRENT RESOLUTION NO. 282—**

BY REPRESENTATIVES FLAVIN, FRITH, GEYMAN, E. GUILLORY, HILL, JOHNS, AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN

A CONCURRENT RESOLUTION

To commend the Lyondell Chemical Company's Lake Charles plant on seventy years of operation in Calcasieu Parish.

**HOUSE CONCURRENT RESOLUTION NO. 283—**

BY REPRESENTATIVE WRIGHT

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to make it a priority to erect appropriate signage along multilane state and interstate highways indicating that the left lane is for passing only and that slower traffic must keep right in an effort to educate the motoring public and that the Department of Public Safety and Corrections, office of motor vehicles, include no less than one question on the knowledge test it administers for issuance of drivers' licenses regarding the requirement that slower traffic travel in the right lane.

**HOUSE CONCURRENT RESOLUTION NO. 284—**  
BY REPRESENTATIVE BROOME**A CONCURRENT RESOLUTION**

To proclaim September, 2004, as National Alcohol and Drug Addiction Recovery Month.

**HOUSE CONCURRENT RESOLUTION NO. 285—**  
BY REPRESENTATIVE KENNARD**A CONCURRENT RESOLUTION**

To commend and congratulate Louisiana State University head football coach Nick Saban upon leading the Tigers to the national championship on January 4, 2004.

**HOUSE CONCURRENT RESOLUTION NO. 286—**  
BY REPRESENTATIVE DOWNS**A CONCURRENT RESOLUTION**

To memorialize Congress to fully fund the National Aeronautics and Space Administration's fiscal year 2005 budget request.

**HOUSE CONCURRENT RESOLUTION NO. 288—**  
BY REPRESENTATIVE MURRAY**A CONCURRENT RESOLUTION**

To recognize the vital role that minority community banks have played in the economic development of the communities that they serve by providing investment capital, home mortgages and employment opportunities and to proclaim 2004 as the Year of the Minority Bank.

**HOUSE CONCURRENT RESOLUTION NO. 290—**  
BY REPRESENTATIVE ALARIO**A CONCURRENT RESOLUTION**

To urge and request the Louisiana Advisory Commission on Intergovernmental Relations to meet to study alternative methods of competitive sealed bidding, and specifically the method of bidding known as reverse auction.

**HOUSE CONCURRENT RESOLUTION NO. 291—**  
BY REPRESENTATIVE BALDONE**A CONCURRENT RESOLUTION**

To urge and request the secretary of the Department of Natural Resources to review the base mitigation costs used to calculate monetary contributions to the Coastal Mitigation Account of the Louisiana Wetlands Conservation and Restoration Fund and to make changes in the rules and procedures for mitigation that could facilitate appropriate mitigation of coastal wetland losses, including the possibility of implementing a program of monetary mitigation payments only.

**HOUSE CONCURRENT RESOLUTION NO. 292—**  
BY REPRESENTATIVE LABRUZZO**A CONCURRENT RESOLUTION**

To urge and request the Department of Health and Hospitals to establish a study commission to research and study the implementation of a recycling method for unused prescription drugs.

**HOUSE CONCURRENT RESOLUTION NO. 293—**  
BY REPRESENTATIVE DORSEY**A CONCURRENT RESOLUTION**

To commend the Louisiana State University baseball Tigers for winning the regional championship and to extend best wishes for victory in the National Collegiate Athletic Association Super Regional series.

**HOUSE CONCURRENT RESOLUTION NO. 294—**

BY REPRESENTATIVES WINSTON, BAUDOUIN, BOWLER, BROOME, BRUCE, K. CARTER, DARTEZ, DOERGE, DORSEY, DURAND, GRAY, HUTTER, JEFFERSON, KATZ, MARCHAND, JANE SMITH, ST. GERMAIN, AND WALKER AND SENATORS BAJOE, CHEEK, DUPLESSIS, IRONS, JACKSON, AND MOUNT

**A CONCURRENT RESOLUTION**

To commend Joycelyn Mason Green upon her retirement as executive director of the Louisiana Legislative Women's Caucus.

**HOUSE CONCURRENT RESOLUTION NO. 295—**  
BY REPRESENTATIVE TRICHE**A CONCURRENT RESOLUTION**

To urge and request the Department of Public Safety and Corrections, public safety services, to enforce all provisions of R.S. 14:102.19 (the crime of hog and canine fighting as enacted in Act 111 of the 2004 Regular Session) and to also investigate whether illegal gambling is taking place at hog dog rodeo events and to urge and request that the attorney general, pursuant to the powers and duties conferred in the constitution of this state, in the interest of the state, ensure that the provisions of Act 111 are enforced and that violators are prosecuted.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**House Concurrent Resolutions**

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 189—**  
BY REPRESENTATIVES LABRUZZO AND SCALISE**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to send all the necessary and proper information to the Federal Railroad Administration, the Norfolk Southern Railroad, and the Jefferson Parish Sheriff's Office which is required, according to the Federal Railroad Administration's interim final rule regarding the use of horns at highway-rail crossings, to preserve and continue the railroad "quiet zone" in the Old Metairie corridor in Jefferson Parish.

The resolution was read by title. Senator Hainkel moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero



Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Cain  
Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 282—**  
BY REPRESENTATIVES FLAVIN, FRITH, GEYMAN, E. GUILLORY, HILL, JOHNS, AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN

A CONCURRENT RESOLUTION

To commend the Lyondell Chemical Company's Lake Charles plant on seventy years of operation in Calcasieu Parish.

The resolution was read by title. Senator Theunissen moved to concur in the House Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Hainkel	Nevers
Boissiere	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Dupre	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Cain  
Total—2

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 283—**  
BY REPRESENTATIVE WRIGHT

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to make it a priority to erect appropriate signage along multilane state and interstate highways indicating that the left lane is for passing only and that slower traffic must keep right in an effort to educate the motoring public and that the Department of Public Safety and Corrections, office of motor vehicles, include no less than one question on the knowledge test it administers for issuance of drivers' licenses regarding the requirement that slower traffic travel in the right lane.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE CONCURRENT RESOLUTION NO. 284—**  
BY REPRESENTATIVE BROOME

A CONCURRENT RESOLUTION

To proclaim September, 2004, as National Alcohol and Drug Addiction Recovery Month.

The resolution was read by title. Senator Fields moved to concur in the House Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boasso	Gautreaux, N	Nevers
Boissiere	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—35		

NAYS

Total—0

ABSENT

Cain  
Hainkel  
Total—4

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 285—**  
BY REPRESENTATIVE KENNARD

**A CONCURRENT RESOLUTION**

To commend and congratulate Louisiana State University head football coach Nick Saban upon leading the Tigers to the national championship on January 4, 2004.

The resolution was read by title. Senator Heitmeier moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

**NAYS**

Total—0

**ABSENT**

Cain  
Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 286—**  
BY REPRESENTATIVE DOWNS

**A CONCURRENT RESOLUTION**

To memorialize Congress to fully fund the National Aeronautics and Space Administration's fiscal year 2005 budget request.

The resolution was read by title. Senator Barham moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot

Barham	Gautreaux, N	Mount
Boasso	Heitmeier	Nevers
Boissiere	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Kostelka	Ullo
Dupre	Lentini	
Total—35		

**NAYS**

Total—0

**ABSENT**

Cain	Hainkel
Chaisson	Jones
Total—4	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 288—**  
BY REPRESENTATIVE MURRAY

**A CONCURRENT RESOLUTION**

To recognize the vital role that minority community banks have played in the economic development of the communities that they serve by providing investment capital, home mortgages and employment opportunities and to proclaim 2004 as the Year of the Minority Bank.

The resolution was read by title. Senator Boissiere moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

**NAYS**

Total—0

**ABSENT**

Cain  
Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 290—**  
BY REPRESENTATIVE ALARIO  
A CONCURRENT RESOLUTION

To urge and request the Louisiana Advisory Commission on Intergovernmental Relations to meet to study alternative methods of competitive sealed bidding, and specifically the method of bidding known as reverse auction.

The resolution was read by title. Senator Ullo moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Hainkel	Nevers
Boissiere	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—37		

**NAYS**

Total—0

**ABSENT**

Cain	Jones
Total—2	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 291—**  
BY REPRESENTATIVE BALDONE  
A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Natural Resources to review the base mitigation costs used to calculate monetary contributions to the Coastal Mitigation Account of the Louisiana Wetlands Conservation and Restoration Fund and to make changes in the rules and procedures for mitigation that could facilitate appropriate mitigation of coastal wetland losses, including the possibility of implementing a program of monetary mitigation payments only.

The resolution was read by title. Senator Dupre moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Hainkel	Nevers
Boissiere	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—37		

**NAYS**

Total—0

**ABSENT**

Cain	Jones
Total—2	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 292—**  
BY REPRESENTATIVE LABRUZZO  
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to establish a study commission to research and study the implementation of a recycling method for unused prescription drugs.

The resolution was read by title. Senator Hollis moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Chaisson	Heitmeier	Romero
Cheek	Holden	Schedler
Cravins	Hollis	Smith
Dardenne	Jackson	Theunissen
Duplessis	Kostelka	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cain

Irons

Jones

Total—3

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 293—**

BY REPRESENTATIVE DORSEY

**A CONCURRENT RESOLUTION**

To commend the Louisiana State University baseball Tigers for winning the regional championship and to extend best wishes for victory in the National Collegiate Athletic Association Super Regional series.

The resolution was read by title. Senator Fields moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President

Ellington

Malone

Adley

Fields

Marionneaux

Amedee

Fontenot

McPherson

Bajoie

Gautreaux, B

Michot

Barham

Gautreaux, N

Mount

Boasso

Hainkel

Nevers

Boissiere

Heitmeier

Romero

Chaisson

Holden

Schedler

Cheek

Hollis

Smith

Cravins

Irons

Theunissen

Dardenne

Jackson

Ullo

Duplessis

Kostelka

Dupre

Lentini

Total—37

NAYS

Total—0

ABSENT

Cain

Jones

Total—2

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 294—**

BY REPRESENTATIVES WINSTON, BAUDOUIN, BOWLER, BROOME, BRUCE, K. CARTER, DARTEZ, DOERGE, DORSEY, DURAND, GRAY, HUTTER, JEFFERSON, KATZ, MARCHAND, JANE SMITH, ST. GERMAIN, AND WALKER AND SENATORS BAJOE, CHEEK, DUPLESSIS, IRONS, JACKSON, AND MOUNT

**A CONCURRENT RESOLUTION**

To commend Joycelyn Mason Green upon her retirement as executive director of the Louisiana Legislative Women's Caucus.

The resolution was read by title. Senator Jackson moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President

Ellington

Lentini

Adley

Fields

Malone

Amedee

Fontenot

Marionneaux

Bajoie

Gautreaux, B

McPherson

Barham

Gautreaux, N

Michot

Boasso

Hainkel

Mount

Boissiere

Heitmeier

Nevers

Chaisson

Holden

Romero

Cheek

Hollis

Schedler

Cravins

Irons

Smith

Dardenne

Jackson

Theunissen

Duplessis

Jones

Ullo

Dupre

Kostelka

Total—38

NAYS

Total—0

ABSENT

Cain

Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 295—**

BY REPRESENTATIVE TRICHE

**A CONCURRENT RESOLUTION**

To urge and request the Department of Public Safety and Corrections, public safety services, to enforce all provisions of R.S. 14:102.19 (the crime of hog and canine fighting as enacted in Act 111 of the 2004 Regular Session) and to also investigate whether illegal gambling is taking place at hog dog rodeo events and to urge and request that the attorney general, pursuant to the powers and duties conferred in the constitution of this state, in the interest of the state, ensure that the provisions of Act 111 are enforced and that violators are prosecuted.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Judiciary C.

**House Concurrent Resolutions  
on Second Reading**

The following House Concurrent Resolutions were read and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 17—**  
BY REPRESENTATIVE ALARIO**A CONCURRENT RESOLUTION**

To urge and request members of the legislature and statewide elected officials to voluntarily substitute teach in a public elementary or secondary school of the state.

The resolution was read by title. Senator Ullo moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Jackson	Smith
Dardenne	Jones	Theunissen
Dupre	Kostelka	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Cain	Duplessis	Irons
Total—3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 86—**  
BY REPRESENTATIVES DORSEY, DARTEZ, FARRAR, RICHMOND, SHEPHERD, AND WHITE**A CONCURRENT RESOLUTION**

To urge and request the Department of Public Safety and Corrections, office of state police, to develop rules for the coordination of investigations and the sharing of information regarding the investigation of possible "serial killers" and unsolved murders.

The resolution was read by title. Senator Jackson moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Amedee	Gautreaux, B	McPherson

Bajoie	Gautreaux, N	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Boissiere	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Ellington	Lentini	
Total—37		

**NAYS**

Total—0

**ABSENT**

Cain	Chaisson
Total—2	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 107—**  
BY REPRESENTATIVES BROOME AND MURRAY**A CONCURRENT RESOLUTION**

To request the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection, and International Affairs to meet and function as a joint committee to study the conditions in the Louisiana housing finance market and address the issues and concerns relative to protecting Louisiana citizens from predatory lending practices.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**HOUSE CONCURRENT RESOLUTION NO. 121—**  
BY REPRESENTATIVE QUEZAIRE**A CONCURRENT RESOLUTION**

To authorize and direct the Department of Public Safety and Corrections to include the image of a pelican on the standard private passenger motor vehicle license plate.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE CONCURRENT RESOLUTION NO. 143—**  
BY REPRESENTATIVE LAFLEUR**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to designate Louisiana Highway 167 within Evangeline Parish as a Blue Star Memorial Highway in honor of the citizens of Evangeline Parish who have served, are now serving, or will serve in the armed forces of the United States and to authorize placement of a Blue Star Memorial Highway monument along this route.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE CONCURRENT RESOLUTION NO. 148—**BY REPRESENTATIVES BURRELL, JEFFERSON, AND MARCHAND  
A CONCURRENT RESOLUTION

To urge and request the House Committee on Municipal, Parochial and Cultural Affairs and the Senate Committee on Local and Municipal Affairs to meet and function as a joint committee to study and make recommendations for the creation of a state office of urban reengineering and reinvestment, including but not limited to its structure, powers, duties, functions, responsibilities, and funding, and in conducting such study to obtain assistance, information, and recommendations from certain organizations and agencies.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE CONCURRENT RESOLUTION NO. 154—**BY REPRESENTATIVE WINSTON  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to seek immediate funding to widen and replace the two-lane bridge located along Louisiana Highway 21 which crosses the Tchefuncte River in St. Tammany Parish.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE CONCURRENT RESOLUTION NO. 174—**BY REPRESENTATIVE MARTINY  
A CONCURRENT RESOLUTION

To urge and request the chairman of the Greater New Orleans Expressway Commission, commonly referred to as "The Causeway Commission" to comply with current law providing for the free and unhampered passage by firemen on toll bridges and ferries.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE CONCURRENT RESOLUTION NO. 182—**BY REPRESENTATIVE BALDONE  
A CONCURRENT RESOLUTION

To recognize the Isle de Jean Charles Band of the Biloxi-Chitimacha Confederation of Muskogees (BCCM), the Bayou Lafourche Band of the BCCM, the Grand Caillou/Dulac Band of the BCCM, known collectively as the "BCCM tribes", and the Pointe-au-Chien Indian Tribe (PACIT).

On motion of Senator Bajoie, the resolution was read by title and returned to the Calendar, subject to call.

**HOUSE CONCURRENT RESOLUTION NO. 186—**BY REPRESENTATIVE QUEZAIRE  
A CONCURRENT RESOLUTION

To urge and request the governor to support the Sea Point container transfer facility project.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE CONCURRENT RESOLUTION NO. 190—**BY REPRESENTATIVE DOWNS  
A CONCURRENT RESOLUTION

To request the Department of Transportation and Development to erect "slower traffic keep right" signs on all state highways with four or more lanes.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE CONCURRENT RESOLUTION NO. 193—**BY REPRESENTATIVE STRAIN  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a traffic signal at the intersection of Louisiana Highways 442, 443, and 40 in Loranger, Louisiana.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE CONCURRENT RESOLUTION NO. 197—**BY REPRESENTATIVES CRANE, BROOME, SALTER, AND HUNTER AND SENATORS HOLDEN AND ULLO  
A CONCURRENT RESOLUTION

To create the Adult Learning Task Force within the office of the governor for the purpose of reviewing policies and programs related to adult learning in the state of Louisiana and to provide that the task force shall submit a written report to the Legislature of Louisiana on the state of adult learning in Louisiana by not later than January 30, 2005.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Education.

**HOUSE CONCURRENT RESOLUTION NO. 206—**BY REPRESENTATIVES WALKER AND DURAND  
A CONCURRENT RESOLUTION

To create the Louisiana Dental Association Task Force on Enteral Conscious Sedation to study the revisions to the Dental Practice Act regarding adult enteral conscious sedation.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Health and Welfare.

**HOUSE CONCURRENT RESOLUTION NO. 211—**BY REPRESENTATIVE FAUCHEUX  
A CONCURRENT RESOLUTION

To urge and request the commissioner of conservation, the Louisiana Municipal Association, and the Police Jury Association to study compliance by Louisiana cities, towns, villages, and special districts in an underground utility regional damage prevention program.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Natural Resources.

**HOUSE CONCURRENT RESOLUTION NO. 215—**  
BY REPRESENTATIVE MURRAY**A CONCURRENT RESOLUTION**

To request the House and Senate Committees on Labor and Industrial Relations to meet and function as a joint committee to study the hiring and procurement practices of the gaming industry and submit a report of its findings to the Legislature of Louisiana on or before thirty days prior to the 2005 Regular Session.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Labor and Industrial Relations.

**HOUSE CONCURRENT RESOLUTION NO. 274—**  
BY REPRESENTATIVE DURAND**A CONCURRENT RESOLUTION**

To urge and request the Department of Health and Hospitals to amend its rules to provide that funeral costs in certain instances shall be considered an allowable cost for providers who incur such expenses.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Health and Welfare.

**HOUSE CONCURRENT RESOLUTION NO. 276—**

BY REPRESENTATIVES TUCKER, STRAIN, ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CRANE, CROWE, DOVE, DOWNS, ERDEY, FLAVIN, FUTRELL, GEYMAN, HUTTER, JOHNS, KATZ, KENNARD, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, PITRE, M. POWELL, T. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, TOOMY, TRAHAN, WADDELL, WALSWORTH, WHITE, AND WINSTON AND SENATORS BARHAM, BOASSO, CAIN, CHEEK, DARDENNE, FONTENOT, HAINKEL, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, ROMERO, SCHEDLER, AND THEUNISSEN

**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of President Ronald Reagan and to express enduring appreciation for his singular contributions and achievements.

The resolution was read by title. Senator Hainkel moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

**NAYS**

Total—0

**ABSENT**

Cain  
Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 277—**  
BY REPRESENTATIVE DURAND**A CONCURRENT RESOLUTION**

To urge and request the Department of Health and Hospitals not to count official state holidays against the annual and therapeutic leave days provided for residents of ICFs/MR.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Health and Welfare.

**HOUSE CONCURRENT RESOLUTION NO. 278—**  
BY REPRESENTATIVE DORSEY**A CONCURRENT RESOLUTION**

To urge and request the Department of Public Safety and Corrections, office of motor vehicles, to study the fees and taxes imposed by Louisiana and other states on pickup trucks and sport utility vehicles (SUVs), and to report its findings and recommendations to the Legislature of Louisiana prior to the convening of the 2005 Regular Session.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE CONCURRENT RESOLUTION NO. 280—**  
BY REPRESENTATIVE ODINET**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to erect directional signage on West Judge Perez Drive in Arabi, Louisiana indicating the exit to St. Louise de Marillac Elementary School.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON****ENVIRONMENTAL QUALITY**

Senator Fontenot, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

June 8, 2004

To the President and Members of the Senate:

I am directed by your Committee on Environmental Quality to submit the following report:

**SENATE CONCURRENT RESOLUTION NO. 62—**  
BY SENATOR HOLDEN**A CONCURRENT RESOLUTION**

To urge and request the secretary of the Department of Environmental Quality and each member of the Louisiana delegation to the United States Congress to support federal regulations mandating restrictions on mercury emissions and discharges to reduce mercury contamination in the environment.

Reported favorably.

**HOUSE BILL NO. 233—**  
BY REPRESENTATIVE FAUCHEUX**AN ACT**

To amend and reenact R.S. 30:2057(B)(6) and to enact R.S. 30:2057(B)(7), relative to air quality; to provide for exceptions to requirements for the discharge of air contaminants or noise pollution; to provide for bonfires in certain parishes during the month of December; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 377—**  
BY REPRESENTATIVE DAMICO**AN ACT**

To amend and reenact R.S. 30:2054(B)(8) and R.S. 32:1306(C)(3), relative to motor vehicle emissions inspections; to provide for the powers and duties of the secretary of the Department of Environmental Quality; to provide for fees for vehicle inspections; to provide for disposition of funds; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
HEULETTE "CLO" FONTENOT  
Chairman

**REPORT OF COMMITTEE ON****JUDICIARY C**

Senator Chaisson, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

June 8, 2004

To the President and Members of the Senate:

I am directed by your Committee on Judiciary C to submit the following report:

**HOUSE CONCURRENT RESOLUTION NO. 157—**  
BY REPRESENTATIVE BROOME**A CONCURRENT RESOLUTION**

To urge and request the Department of Public Safety and Corrections to establish a character and faith-based program to provide persons released from incarceration from state correctional facilities with fundamental resources in the areas of employment, life skills training, and job skill enhancements and placement, as well as access to as many support services as

possible in order to appreciably increase the likelihood of the offender's successful reentry into society.

Reported favorably.

**HOUSE BILL NO. 37—**  
BY REPRESENTATIVE BALDONE**AN ACT**

To amend and reenact R.S. 40:981.3(E), relative to drug-free zone; to provide that sentences imposed pursuant to the drug free zone provisions shall be served without benefit of suspension of sentence; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 340—**  
BY REPRESENTATIVE MARTINY**AN ACT**

To amend and reenact Code of Criminal Procedure Article 326(B), relative to bail; to provide for the cancellation of the bail bond in felony cases upon entry of a plea of guilty or nolo contendere; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 403—**  
BY REPRESENTATIVE DANIEL**AN ACT**

To amend and reenact R.S. 15:85.1(A)(2)(a) and (d), relative to posting of criminal bonds; to provide for the distribution of fees assessed in connection with criminal bonds posted in each parish; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 872—**  
BY REPRESENTATIVE MARTINY**AN ACT**

To amend and reenact R.S. 14:93.10(2)(a), relative to alcoholic beverages; to provide relative to the unlawful sale, purchase and possession of alcoholic beverages; to provide with respect to the definition of public possession; to prohibit persons under the age of eighteen from possessing alcoholic beverages; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1437—**  
BY REPRESENTATIVE STRAIN**AN ACT**

To enact R.S. 40:983.1, relative to controlled dangerous substances; to create the crime of the creation or operation of a clandestine laboratory for the unlawful manufacture of a controlled dangerous substance on or within one thousand feet of school property; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported with amendments.



**HOUSE BILL NO. 1481—**

BY REPRESENTATIVES MARTINY AND ANSARDI  
AN ACT

To amend and reenact Code of Criminal Procedure Article 336(A)(2) and (3) and to enact Code of Criminal Procedure Article 336(A)(4), relative to release conditioned on participation in pretrial drug testing program; to provide that every person arrested for a felony offense not otherwise required to submit to a pretrial drug test may be required to submit to a pretrial drug test; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
JOEL T. CHAISSON, II  
Chairman

**REPORT OF COMMITTEE ON**

**AGRICULTURE, FORESTRY, AQUACULTURE  
AND RURAL DEVELOPMENT**

Senator Smith, Chairman on behalf of the Committee on Agriculture, Forestry, Aquaculture and Rural Development, submitted the following report:

June 8, 2004

To the President and Members of the Senate:

I am directed by your Committee on Agriculture, Forestry, Aquaculture and Rural Development to submit the following report:

**HOUSE CONCURRENT RESOLUTION NO. 113—**

BY REPRESENTATIVES BALDONE BRUCE, CAZAYOUX, DOWNS, FANNIN, FRITH, GEYMAN, M. GUILLORY, HILL, HUDSON, LAFLEUR, MORRISH, JACK SMITH, ST. GERMAIN, STRAIN AND THOMPSON

**A CONCURRENT RESOLUTION**

To memorialize congress to oppose the Central America Free Trade Agreement and other free trade agreements which are harmful to American sugar producers.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 137—**

BY REPRESENTATIVES ODINET, BRUCE, CAZAYOUX, DOWNS, FANNIN, FRITH, GEYMAN, M. GUILLORY, HILL, KENNEY, LAFLEUR, MORRISH, JACK SMITH, ST. GERMAIN, STRAIN, AND THOMPSON

**A CONCURRENT RESOLUTION**

To request the Department of Agriculture and Forestry, the Department of Wildlife and Fisheries, and the Department of Health and Hospitals to form an interagency task force to examine agricultural commodities imported into Louisiana from the state of California to confirm their compliance with public health and safety standards.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 195—**

BY REPRESENTATIVES STRAIN AND THOMPSON  
A CONCURRENT RESOLUTION

To memorialize congress to oppose the Australian Free Trade Agreement (AUSFTA) and other free trade agreements which are harmful to American dairy producers.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 201—**

BY REPRESENTATIVE THOMPSON  
A CONCURRENT RESOLUTION

To urge and request retailers within the state of Louisiana to promote Louisiana dairy products and value-added products within the Louisiana dairy industry.

Reported favorably.

**HOUSE BILL NO. 1192—**

BY REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact R.S. 36:802.6 and R.S. 44:4.1(B)(1) and to enact Part XVI of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:559.1 through 559.13, and R.S. 36:629(Q), relative to aquacultural development; to create the Louisiana Aquaculture Coordinating Council; to provide for the membership, organization, powers, and duties of the Louisiana Aquaculture Coordinating Council; to provide for the powers of the commissioner of the Department of Agriculture and Forestry; to provide relative to the Louisiana Wildlife and Fisheries Commission; to require certain aquatic producers to obtain a license or permit; to provide for fees for the issuance of such license of permit; to establish criteria for inspecting licensed facilities; to provide for the deposit and disbursement of fees and penalties; to enumerate violations; to provide for investigations of facilities; to provide civil penalties for violations; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1399—**

BY REPRESENTATIVE SALTER  
AN ACT

To amend and reenact R.S. 3:3801(A)(introductory paragraph) and 3803 and to enact R.S. 3:3801(A)(14) and (C)(11), 3804(A)(8), 3807(B)(7), 3808(P), and 3816(5) and (6), relative to the landscape irrigation contractors; to provide for the licensing of landscape irrigation contractors; to provide for commission membership; to provide for examination of applicants; to provide for regulation and licensure terms and conditions; to provide for exemptions; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1670—**

BY REPRESENTATIVE MORRISH  
AN ACT

To amend and reenact R.S. 3:3414.2(C), (D), (E), and (F) and to enact R.S. 3:3414.2(G) and (H), relative to payments for rice under bid contracts; to provide for certain changes in purchaser requirements; to provide options for producers under bid contracts for rice; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
MIKE SMITH  
Chairman

**REPORT OF COMMITTEE ON  
JUDICIARY A**

Senator Lentini, Chairman on behalf of the Committee on  
Judiciary A, submitted the following report:

June 8, 2004

To the President and Members of the Senate:

I am directed by your Committee on Judiciary A to submit the  
following report:

**SENATE CONCURRENT RESOLUTION NO. 56—**  
BY SENATORS DARDENNE AND SMITH  
A CONCURRENT RESOLUTION

To direct the legislative auditor to compile a report on the cost of  
operating the district court system in Louisiana for presentation  
to the legislature prior to the 2005 Regular Session; to request  
assistance of various state and local governmental entities which  
perform various district court functions or provide financial  
support of the court system; and to report to the legislature any  
limitations imposed on the compilation of timely, relevant, and  
accurate information on the operations of the district court  
system.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 139—**  
BY REPRESENTATIVE BURNS  
A CONCURRENT RESOLUTION

To urge and request the Marriage Persons Committee of the  
Louisiana State Law Institute to study Louisiana's child custody  
and visitation laws and make specific recommendations on or  
before January 15, 2006, for revisions to state law.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 158—**  
BY REPRESENTATIVE BOWLER  
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study  
Louisiana's visitation statutes and make specific  
recommendation on or before January 15, 2005, for revisions to  
state laws.

Reported favorably.

**HOUSE BILL NO. 159—**  
BY REPRESENTATIVE QUEZAIRE  
AN ACT

To enact R.S. 33:450, relative to mayors' courts; to create a mayor's  
court of the town of St. Gabriel in Iberville Parish; to provide for  
jurisdiction of the court; to provide for the power and authority  
of the mayor; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 207—**  
BY REPRESENTATIVE HILL  
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H) and  
(J), relative to jurisdiction of city courts; to increase the  
jurisdictional amount in dispute in the City Court of Oakdale;  
and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 418—**  
BY REPRESENTATIVE MONTGOMERY  
AN ACT

To amend and reenact Code of Civil Procedure Article 3603.1(C),  
relative to protective orders; to require clerks of court to assist  
in the preparation of applications for protective orders in  
certain circumstances; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 498—**  
BY REPRESENTATIVES TRICHE, JOHNS, AND BROOME  
AN ACT

To amend and reenact R.S. 46:236.1.1(1), 236.2(A)(2) and (B)(2),  
and 236.3(A)(1) and (D)(1), relative to child support programs;  
to provide for definitions; to provide for the electronic  
transmission of the notice for an income assignment order; to  
provide for judgments awarding retroactive support; and to  
provide for related matters.

Reported favorably.

**HOUSE BILL NO. 508—**  
BY REPRESENTATIVE M. POWELL  
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E)(2) and  
(H), relative to the jurisdictional amount in controversy for the  
City Court of Shreveport; to increase the jurisdictional amount;  
and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 573—**  
BY REPRESENTATIVE JOHNS  
AN ACT

To amend and reenact Code of Civil Procedure Article 3601 and to  
enact Code of Civil Procedure Article 3603(C), relative to civil  
procedure; to prohibit the issuance of injunctions or restraining  
orders which prevent the enforcement of child support orders;  
and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 793—**  
BY REPRESENTATIVE DOVE  
AN ACT

To enact R.S. 9:2800.14, relative to a limitation of civil liability; to  
provide for a limitation of liability for mold or mold damage; and  
to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 842—**

BY REPRESENTATIVE JOHNS

AN ACT

To enact Civil Code Article 191 and R.S. 9:395.1, relative to paternity; to provide for the establishment of paternity; to provide a time limitation for actions; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 972—**

BY REPRESENTATIVE WALKER

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E)(1) and to enact Code of Civil Procedure Article 4843(L), relative to the jurisdiction of certain city courts; to increase the jurisdictional amount in dispute for the City Court of Bunkie and the City Court of Marksville; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 973—**

BY REPRESENTATIVE R. CARTER

AN ACT

To amend and reenact R.S. 13:996.60(A) and to enact R.S. 13:2507.1, relative to judicial expense funds; to establish a judicial expense fund for the Twentieth Judicial District Court and the Traffic Court of New Orleans; to retain provisions providing for the assessment of fees in civil and criminal matters, depositing of sums collected into a separate account designated as the judicial expense fund, annual audits, uses of the fund, and prohibiting uses of the fund for salaries of the judges; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1099—**

BY REPRESENTATIVE R. CARTER

AN ACT

To enact R.S. 22:682, relative to automobile liability insurance; to provide for liability of owners of motor vehicles for certain operators excluded from coverage; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1112—**

BY REPRESENTATIVE PINAC

AN ACT

To enact Part XIII-A of Chapter 32 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5071 through 5077, relative to the Master Settlement Agreement; to provide for complementary procedures; to provide for definitions; to require certification; to provide for a directory of tobacco product manufacturers; to provide for an agent for service of process; to require reporting; to provide for the disclosure of information; to provide for escrow funds; to provide for penalties; to authorize the promulgation of rules; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1162—**

BY REPRESENTATIVE DOVE

AN ACT

To enact R.S. 9:2800.14, relative to a limitation of civil liability; to provide for a limitation of liability for damages to oyster leases from the transportation of materials to and from a certain location along an approved water route; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1283—**

BY REPRESENTATIVE BOWLER

AN ACT

To enact Chapter 30 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2001 through 2003, relative to conflicts of law; to provide for choice of law and forum for certain computer information agreements; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1351—**

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 13:3667.1, 3667.3, and 4163, relative to legislators and legislative employees; to provide with respect to court appearances as witnesses during legislative activities; to require certification of service or employment of legislative employees; to eliminate witness exemptions for certain criminal felony trials; to require a hearing to compel the appearance of a legislator as a witness; to provide for appeal of an order compelling appearance as witness; to provide for continuances and extensions during performance of legislative duties; to provide for appeals of orders relating thereto; and to provide for related matters.

Reported favorably.

**HOUSEBILL NO. 1447 (Substitute for House Bill No. 99 by Representative Baldone)—**

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 35:1.1, 71(A) through (E), 191(C)(3), and 201(A), relative to non-attorney notaries; to provide for the filing and renewal of required bonds or insurance coverage; to provide for the granting and suspension of notary commissions; to provide for the qualifications of non-attorney notaries; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1519—**

BY REPRESENTATIVE R. CARTER

AN ACT

To amend and reenact Code of Civil Procedure Article 1734(A), relative to the bond for costs related to a civil jury trial; to change the time for filing the bond; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1576—**

BY REPRESENTATIVE BURNS

AN ACT

To amend and reenact Code of Civil Procedure Articles 2951(A)(1) and 2953, to enact Code of Civil Procedure Article 2951(C) and (D), and to repeal Code of Civil Procedure Article 2953 as amended by Act No. 560 of the 1972 Regular Session, relative to successions; to provide relative to the submission of evidence that no inheritance taxes are due; to repeal duplicate article; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
ARTHUR J. "ART" LENTINI  
Chairman

**REPORT OF COMMITTEE ON**

**JUDICIARY B**

Senator Marionneaux, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

June 8, 2004

To the President and Members of the Senate:

I am directed by your Committee on Judiciary B to submit the following report:

**SENATE RESOLUTION NO. 94—**

BY SENATOR DARDENNE

A RESOLUTION

To request the Senate Committee on Judiciary B to study the creation of a youthful offender program or another form of blended sentencing as a sentencing alternative for judges when imposing a sentence upon a juvenile offender.

Reported with amendments.

**HOUSE BILL NO. 66—**

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 13:1312(D), relative to the Judicial Expense Fund of the Civil District Court for the Parish of Orleans; to provide for the housing of the Juvenile Court in the new courthouse or at a separate facility; to delete the prohibition against raising additional fees and the requirement that additional funds be derived from other noncourt cost-related sources for the costs and planning of the new courthouse; to provide that the Joint Legislative Committee on the Budget shall review, rather than approve, the plans and costs of the new courthouse; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 68—**

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 33:1448(N), relative to group insurance for sheriffs and deputy sheriffs; to require the sheriff of Plaquemines Parish to pay certain premium costs of specified group insurance for certain retired officials and employees; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 184—**

BY REPRESENTATIVE GRAY

AN ACT

To amend and reenact Children's Code Articles 116(10), 897.1, and 901(E) and R.S. 15:906(B) and 908(A), to enact Children's Code Article 116(24.1) and (24.2), and to repeal Children's Code Article 728(3.1), relative to the confinement of children adjudicated delinquent; to provide for a list of offenses which require confinement; to provide for definitions; to provide for age limitations with respect to the confinement of children; to provide for the furlough of children adjudicated delinquent of certain crimes; to provide for the preparation of a transitional plan; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 185—**

BY REPRESENTATIVE GRAY

AN ACT

To amend and reenact Children's Code Articles 804(7), 832, 834, 835, 837, and 838 and to enact Children's Code Article 730(9), relative to juvenile delinquency proceedings; to provide for definitions; to provide relative to the appointment of members of the sanity commission; to provide for requirements relative to the report of the sanity commission; to provide with respect to procedures after a determination has been made regarding mental incapacity to proceed; to provide for procedures to be used when such capacity is regained; to provide for the grounds of a family in need of services proceeding; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 190—**

BY REPRESENTATIVE DEWITT

AN ACT

To enact R.S. 27:21.1, relative to the Louisiana Gaming Control Law; to require certain gaming licensees and the casino gaming operator to submit a report of the names of all entities providing professional services to those licensees and the casino gaming operator; to provide for definitions; to provide for the imposition of sanctions; to provide for the adoption of rules; to provide for quarterly submission of the report; to provide for exceptions; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 394—**

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 13:2500(C), relative to the jurisdiction of the Municipal Court of New Orleans; to increase the monetary

penalty which may be imposed for the violation of a municipal ordinance; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 445—**

BY REPRESENTATIVES ODINET AND HUTTER

AN ACT

To amend and reenact Code of Criminal Procedure Article 202(B)(2) and R.S. 15:574.15(A)(2)(introductory paragraph), relative to the authority of a justice of the peace to issue a warrant for the arrest of a teacher; to require an independent investigation and findings in support of the warrant; to authorize a district court judge exercising criminal jurisdiction to parole persons arrested for certain municipal ordinance violations in a municipality having a population of more than four hundred fifty thousand inhabitants according to the census of the United States for 1980 or any subsequent year; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1105—**

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 27:308(B), relative to the Video Draw Poker Devices Control Law; to provide with respect to sanctions of licensees; to provide limitations on sanctions for failure to disclose misdemeanor criminal offenses in license renewal applications; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1417—**

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 4:739(A)(3)(a), (E)(1), and (F), relative to electronic bingo card dabber devices; to authorize the office of charitable gaming to establish and collect a fee of not more than eight percent of the lease or rental price of electronic dabber devices; to allow electronic dabber devices to be used with paper other than disposable paper if approved by the office; to provide that electronic dabber devices may be used without purchasing disposable bingo paper; to provide for the adoption of rules to govern the specifications, use, and operation of electronic dabber devices; to provide for the establishment of a list of manufacturers, distributors, and suppliers of electronic dabber devices; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1527—**

BY REPRESENTATIVES ST. GERMAIN AND LAMBERT AND SENATOR AMEDEE

AN ACT

To amend and reenact Children's Code Articles 791.1, 791.4, and 791.5, relative to juveniles; to authorize all judicial districts to create truancy and assessment and service centers; to provide with respect to monitoring and evaluation; and to provide for related matters.

Reported favorably.

**HOUSEBILL NO. 1706**

(Substitute for House Bill No. 44 by Representative Lambert)—

BY REPRESENTATIVE LAMBERT

AN ACT

To amend and reenact R.S. 15:255(A)(1), (E)(1), (G), (H), and (I) and to enact R.S. 15:255(A)(4), (E)(5), and (J); relative to witness fees paid to off-duty law enforcement officers; to increase the amount of witness fees paid to off-duty law enforcement officers; to require the law enforcement officer to provide documentation; to require the municipal and parish governing authority to timely transmit the fee to the law enforcement officer; to prohibit an officer from receiving the fee if he has received certain federal compensation; to not prohibit the governing authority of a parish or municipality from entering into a cooperative endeavor agreement; to not require a parish or municipal governing authority to appropriate general fund monies for the payment of the fee; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
ROBERT MARIONNEAUX, JR.  
Chairman

**House Bills and Joint Resolutions  
on Second Reading  
Reported by Committees**

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

**HOUSE BILL NO. 77—**

BY REPRESENTATIVE HUTTER

AN ACT

To amend and reenact R.S. 15:255(A)(1) and (D)(1) and to enact R.S. 15:255(A)(4), relative to fees paid to off-duty law enforcement officers who are witnesses in criminal cases; to require the witness fees to only be paid from the specified fund; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 77 by Representative Hutter

**AMENDMENT NO. 1**

Delete Senate Committee Amendments Nos. 1 through 3 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 26, 2004.

**AMENDMENT NO. 2**

On page 1, delete line 4, and insert: "to provide requirements with respect to the payment of such fees; and to provide for"

**AMENDMENT NO. 3**

On page 2, line 19, delete "only"

On motion of Senator Mount, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 651—**

BY REPRESENTATIVES PIERRE AND DANIEL  
AN ACT

To amend and reenact R.S. 30:87(A), (B), and (F) and to repeal R.S. 30:87(G), relative to oilfield site restoration fees; to increase such fee after a certain date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 797—**

BY REPRESENTATIVES TUCKER, K. CARTER, ERDEY, FUTRELL, JOHNS, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOUIN, BAYLOR, BROOME, BRUCE, BRUNEAU, BURNS, BURRELL, CROWE, CURTIS, DAMICO, DANIEL, DEWITT, DOERGE, DORSEY, DOVE, DURAND, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HILL, HONEY, HUTTER, JACKSON, JEFFERSON, KATZ, KENNEY, LABRUZZO, LANCASTER, MARCHAND, MARTINY, McDONALD, MURRAY, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, SHEPHERD, GARYSMITH, JACKSMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, WALKER, WALSWORTH, AND WHITE  
AN ACT

To enact R.S. 22:1425, relative to automobile liability insurance; to provide for active military personnel; to provide for premium discounts; to provide for rebates; to provide for rules and regulations; to provide for the authority of the commissioner of insurance; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 836—**

BY REPRESENTATIVES GLOVER AND HOPKINS  
AN ACT

To amend and reenact R.S. 11:3724(8), as enacted by Act No. 74 of the 1991 Regular Session of the Legislature of Louisiana, relative to the Police Pension and Relief Fund of the City of Shreveport; to provide relative to survivor benefits; to repeal R.S. 11:3724(8) as amended and reenacted by prior Acts of the Legislature of Louisiana; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 846—**

BY REPRESENTATIVE MORRISH  
AN ACT

To amend and reenact R.S. 30:2418(G), (H)(3) and (4), (I), (J), and (O)(3), relative to waste tires; to provide for fees collected on the sale of tires; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 870—**

BY REPRESENTATIVES TUCKER, DOERGE, GALLOT, HEBERT, HILL, KENNARD, MONTGOMERY, JOHN SMITH, ST. GERMAIN, TRAHAN, TRICHE, AND WALSWORTH AND SENATOR BOSSIÈRE  
AN ACT

To amend and reenact R.S. 11:2257(F)(2) and (H), relative to the Firefighters' Retirement System; to provide definitions of terms; to remove the authorization for retired members to participate in the Deferred Retirement Option Plan; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 938—**

BY REPRESENTATIVE TUCKER  
AN ACT

To enact R.S. 11:266.1(E), relative to the state retirement systems; to provide relative to investment requirements; to provide for reporting; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 984—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 11:1423(C), relative to the Louisiana Assessors' Retirement Fund; to provide relative to retirement options; to provide relative to option reductions; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1006—**

BY REPRESENTATIVES SCHNEIDER AND MONTGOMERY  
AN ACT

To amend and reenact R.S. 11:62(introductory paragraph) and (9), relative to employee contribution rates; to authorize the board of trustees of the Sheriffs' Pension and Relief Fund to increase the employee contribution rate in consultation with the fund's actuary; to specify a maximum rate allowable; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1101—**

BY REPRESENTATIVES ANSARDI, DAMICO, MARTINY, AND  
WOOTON AND SENATORS BOISSIERE, LENTINI, AND ULLO  
AN ACT

To enact R.S. 33:2740.18.2, relative to the hotel occupancy tax; to authorize the Jefferson Parish Council to levy and collect an additional hotel occupancy tax within Jefferson Parish; to provide for the purposes for which the proceeds of the tax may be used; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1271—**

BY REPRESENTATIVE DEWITT  
AN ACT

To amend and reenact R.S. 11:62(introductory paragraph) and (5)(c) and R.S. 24:36(A), relative to employees of the state legislature who are members of the Louisiana State Employees' Retirement System; to provide for an increase in the employee contribution rate and accrual rate for certain members of the system; to provide for leave conversion for legislative employees; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1478—**

BY REPRESENTATIVES WHITE, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, R. CARTER, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, GEYMAN, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, JEFFERSON, JOHNS, KATZ, LABRUZZO, LAFLEUR, LAMBERT, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MURRAY, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, SALTER, SCALISE, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WINSTON, WOOTON, AND WRIGHT  
AN ACT

To amend and reenact R.S. 51:2453(4) and to enact R.S. 51:2453(6) and 2460(C) and (D), relative to the Louisiana Quality Jobs Programs Act; to expand the definition of "new direct job" to include employees of a facility management contractor in certain instances; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 1478 by Representative White

**AMENDMENT NO. 1**

In Senate Committee Amendment No. 6, proposed by the Senate Committee on Commerce, Consumer Protection and International Affairs and adopted by the Senate on June 3, 2004, on page 1, at the end of line 22, insert:

"(viii) The provisions of R.S. 51:2453(4)(b) shall be effective until August 15, 2006. However, an employer which, prior to August 15, 2006, has been approved by the department to receive incentive tax credits under the provisions of R.S. 51:2453(4)(b) shall continue to receive tax credits pursuant to the terms of its agreement with the state of Louisiana as long as the employer retains its eligibility."

**AMENDMENT NO. 2**

On page 1, line 2, after "2453(4) and " insert "2454(C)(1)," and at the end of the line insert "and to repeal R.S. 51:2454(C)(2),"

**AMENDMENT NO. 3**

On page 1, line 8, after "2453(4)" change "is" to "and 2454(C)(1) are"

**AMENDMENT NO. 4**

On page 3, between lines 15 and 16, insert:

\* \* \*

§2454. Rebate approval

\* \* \*

C.(1)(a) No contract shall be executed ~~pursuant to~~ under this Chapter with an employer who has defaulted on or otherwise not repaid any loan or other obligation involving public funds nor with any employer who has ever declared bankruptcy under which an obligation of the employer to pay or repay public funds or monies was discharged as part of such bankruptcy.

(b) No contract shall be executed under this Chapter with any employer who is in default on any filing or payment with or to the state or any of its agencies or political subdivisions and in which an assessment or judgment that is final and nonappealable has been rendered, and remains outstanding, in favor of the state, or any of its agencies, or political subdivisions.

(c) Violation of the provisions of this Subsection (C) shall void the contract and any rebates paid to the employer prior to the date of discovery of such violation shall be added to the income tax liability of the employer for the taxable year in which the discovery occurred, with interest from the date of violation, and the employer shall receive no further rebates pursuant to this Chapter."

**AMENDMENT NO. 5**

On page 4, after line 6, insert:

"Section 2. R.S. 51:2454(C)(2) is hereby repealed."

On motion of Senator Mount, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1718 (Substitute for House Bill No. 1606 by Representative G. Smith)—**

BY REPRESENTATIVE GARY SMITH

AN ACT

To amend and reenact R.S. 47:1852(B), 1852.1, and 1856(A)(1) and to enact R.S. 47:1856(G), relative to the assessment of public service properties for ad valorem taxation; to specify filing requirements for certain reports; to increase the penalty for

failure to timely file reports; to specify procedures for protesting assessments; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

### **Rules Suspended**

Senator Adley asked for and obtained a suspension of the rules for the purpose of taking up at this time.

### **Reports of Committees**

The following reports of committees were received and read:

#### **CONFERENCE COMMITTEE REPORT**

Senate Bill No. 765 by Senator Adley  
June 7, 2004

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 765 by Senator Adley recommend the following concerning the Reengrossed bill:

1. That House Floor Amendment No. 1 proposed by Representative Crowe and adopted by the House of Representatives on May 19, 2004 be rejected.
2. That House Floor Amendment No. 1 proposed by Representative Triche and adopted by the House of Representatives on May 19, 2004 be rejected.
3. That House Floor Amendments Nos. 1, 2, 3 and 4 proposed by Representative Quezaire and adopted by the House of Representatives on May 19, 2004 be rejected.
4. That the following amendment to the reengrossed bill be adopted:

#### **AMENDMENT NO. 1**

On page 1, line 2, after "violations;" delete the remainder of the line and delete lines 3 through 6 and insert in lieu thereof the following: "to define and prohibit a "rolling roadblock" on certain multiple-lane highways; to provide for penalties; to require the installation of certain signage; and to provide for related matters."

#### **AMENDMENT NO. 2**

On page 1, line 9, after "\$73.1." delete the remainder of the line and insert in lieu thereof "Rolling roadblocks prohibited on certain multiple-lane highways; definitions; penalties"

#### **AMENDMENT NO. 3**

On page 1, delete lines 15 through 17

#### **AMENDMENT NO. 4**

On page 2, delete lines 1 through 6, and insert as follows:

"B. A vehicle which remains in the passing lane of a multiple-lane highway as defined in Subsection A of this Section traveling at the same speed as the vehicle in the right lane and impedes the flow

of traffic shall be deemed a "rolling roadblock" which shall be prohibited. The provisions of this Subsection shall not apply to vehicles stopped at a traffic signal or traveling at a slower rate due to traffic congestion as long as the vehicle is not causing traffic congestion."

#### **AMENDMENT NO. 5**

On page 2, line 7, change "D." to "C."

#### **AMENDMENT NO. 6**

On page 2, after line 7, insert as follows:

"Section 2. The Department of Transportation and Development shall install signs on multiple-lane highways reading SLOWER TRAFFIC KEEP RIGHT."

Senators:

Robert Adley

Jody Amedee

Noble E. Ellington

Respectfully submitted,

Representatives:

Roy Quezaire, Jr.

Jim Tucker

Warren J. Triche, Jr.

### **Rules Suspended**

Senator Adley asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Adley, a vote was taken on the adoption of the report.

### **ROLL CALL**

The roll was called with the following result:

#### **YEAS**

Mr. President

Adley

Amedee

Bajoie

Barham

Boasso

Boissiere

Chaisson

Cheek

Cravins

Dardenne

Duplessis

Dupre

Total—38

Ellington

Fields

Fontenot

Gautreaux, B

Gautreaux, N

Hainkel

Heitmeier

Holden

Hollis

Irons

Jackson

Jones

Kostelka

Lentini

Malone

Marionneaux

McPherson

Michot

Mount

Nevers

Romero

Schedler

Smith

Theunissen

Ullo

#### **NAYS**

Total—0

#### **ABSENT**

Cain

Total—1

The Chair declared the Conference Committee Report was adopted. Senator Adley moved to reconsider the vote by which the report was adopted and laid the motion on the table.



**Reconsideration**

On motion of Senator Irons, pursuant to the previous notice given, the vote by which the following bill failed to pass on Monday, June 7, 2004 was reconsidered.

**HOUSE BILL NO. 198—**

BY REPRESENTATIVES BRUNEAU, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOUIN, BAYLOR, BEARD, BOWLER, BRUCE, BURNS, BURRELL, R. CARTER, CAZAYOUX, CRANE, CROWE, DAMICO, DANIEL, DARTEZ, DEWITT, DORSEY, DOVE, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GEYMAN, GLOVER, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HUNTER, HUTTER, JACKSON, JOHNS, KATZ, KENNEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MURRAY, ODINET, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WALSWORTH, WHITE, WINSTON, AND WRIGHT

**AN ACT**

To amend and reenact R.S. 47:1206 and to repeal Chapter 14 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:1201 through 1212, relative to the gift tax; to phase in a reduction and repeal of the gift tax; to provide for an effective date; and to provide for related matters.

On motion of Senator Irons, the bill was read by title and returned to the Calendar, subject to call.

**Reconsideration**

On motion of Senator Jones, pursuant to the previous notice given, the vote by which the following bill failed to pass on Monday, June 7, 2004 was reconsidered.

**HOUSE BILL NO. 833—**

BY REPRESENTATIVE HUNTER

**AN ACT**

To repeal R.S. 23:1601(10)(b), relative to unemployment compensation; to remove the provision which requires a fifty percent discount in unemployment benefits after an individual qualifies for benefits subsequent to a disqualification for the use of illegal drugs.

On motion of Senator Jones, the bill was read by title and returned to the Calendar, subject to call.

**Senate Bills and Joint Resolutions  
Returned from the House  
of Representatives with Amendments**

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

**SENATE BILL NO. 4—**

BY SENATOR MCPHERSON

**AN ACT**

To enact R.S. 38:2225.2, relative to public contracts; to prohibit the state and any state or local entity from using the "design-build" concept unless specifically authorized by law; to prohibit the state and any state or local entity from executing agreements to purchase unimproved property which agreement requires the

successful design and construction of a structure prior to transfer of title unless specifically authorized by law; and to provide for related matters.

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways and Public Works to Reengrossed Senate Bill No. 4 by Senator McPherson

**AMENDMENT NO. 1**

On page 1, line 2, delete "R.S. 38:2225.2," and insert the following:  
"R.S. 38:2225.2 and 2225.3,"

**AMENDMENT NO. 2**

On page 1, line 2, after "contracts;" delete the remainder of the line, and delete line 3, and at the beginning of line 4, delete "law;"

**AMENDMENT NO. 3**

On page 1, line 7, after "law;" insert the following: "to prohibit execution of certain contracts by the state or a political subdivision of the state which provide for the purchase, lease, or lease with option to purchase by the state or political subdivision after completion of construction of a building or other structure unless specifically authorized by law; to provide for exceptions;"

**AMENDMENT NO. 4**

On page 1, line 9, after "Section 1." delete "R.S. 38:2225.2 is" and insert the following: " R.S. 38:2225.2 and 2225.3 are"

**AMENDMENT NO. 5**

On page 1, between lines 15 and 16 and insert the following:

"§2225.3. Public works; prohibited agreements; exceptions

**R.S. 38:2225.3 is all proposed new law.**

A. The state shall not let any contract for a public work project with any person that is to be administered by or paid for, in whole or in part, with state funds, under which the person is to construct a building or other structure which, upon completion, is to be purchased or leased by the state or leased with an option to purchase upon termination of the lease by the state.

B. No political subdivision of the state shall let any contract for a public work project with any person that is to be administered by or paid for, in whole or in part, with the political subdivision's funds, under which the person is to construct a building or other structure which, upon completion, is to be purchased or leased by the political subdivision or leased with an option to purchase upon termination of the lease by the political subdivision.

C. The provisions of this Section shall not apply to any activities or contracts involving the following entities:

(1) Activities of the Correctional Facilities Corporation pursuant to Chapter 17-B of Title 39 of the Louisiana Revised Statutes of 1950.

(2) Activities of the Louisiana Office Building Corporation pursuant to Chapter 17-C of Title 39 of the Louisiana Revised Statutes of 1950.

(3) Activities of the Office Facilities Corporation pursuant to Chapter 17-D of Title 39 of the Louisiana Revised Statutes of 1950.

(4) Contacts executed under provisions of the Louisiana Corrections Private Management Act as provided in Chapter 17-E of Title 39 of the Louisiana Revised Statutes of 1950.

D. The division of administration shall promulgate rules and regulations to provide policies and procedures governing the design, construction, and letting of contracts for public works by agencies in the executive branch using a methodology in which public work is completed by the person and then leased or purchased by the state agency upon completion of the work or leased by the agency with an option to purchase upon termination of the lease."

Senator McPherson moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	
Dupre	Kostelka	
Total—37		

#### NAYS

Total—0

#### ABSENT

Cain	Ullo
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator McPherson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

#### SENATE BILL NO. 21— BY SENATOR DUPRE

#### AN ACT

To amend and reenact R.S. 9:5167.2, relative to the cancellation of mortgage inscription; to limit certain mortgage inscription cancellation requirements to residential mortgages; and to provide for related matters.

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 21 by Senator Dupre

#### AMENDMENT NO. 1

On page 1, delete line 17 in its entirety and insert the following: "where a mortgage has been granted by a consumer on one-to-four family residential immovable property, including a mortgage to

finance the initial construction of the one-to-four family residential immovable property."

#### AMENDMENT NO. 2

On page 2, delete line 1 in its entirety

Senator Dupre moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

#### NAYS

Total—0

#### ABSENT

Cain
Total—1

The Chair declared the amendments proposed by the House were concurred in. Senator Dupre moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

#### SENATE BILL NO. 94— BY SENATOR LENTINI

#### AN ACT

To amend and reenact the Louisiana Code of Civil Procedure Arts. 1038 and 3601, relative to civil law and procedure; relative to suits against the state; to provide relative to a finding that the expenditure of such state funds would create a deficit; to require an affidavit certifying such finding; to authorize any party in the suit to traverse any such affidavit; to require a summary proceeding for such action to traverse; and to provide for related matters.

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cazayoux to Reengrossed Senate Bill No. 94 by Senator Lentini

#### AMENDMENT NO. 1

On page 1, line 2, after "3601" delete the comma "," and insert "and R.S. 13:4062,"

#### AMENDMENT NO. 2

On page 1, line 3, after "against the state;" insert "to provide relative to injunctions in such suits;"

#### AMENDMENT NO. 3

On page 2, after line 28, insert the following:

"Section 2. R.S. 13:4062 is hereby amended and reenacted to read as follows:

§4062. Suit against state officer or board involving expenditure of state funds; temporary restraining order; preliminary or permanent injunction prohibited; affidavit required; authorization to traverse

No court shall have jurisdiction to issue, or cause to be issued, any temporary restraining order, preliminary injunction, or permanent injunction against any state department, board or agency, or any officer, administrator or head thereof or any officer of the state of Louisiana in any suit involving the expenditure of public funds under any statute or law of this state to compel the expenditure of state funds when the director of such department, board or agency, or the governor or their respective designees shall certify by affidavit that the expenditure of such funds would have the effect of creating a deficit in the funds of said agency or be in violation of the requirements placed upon the expenditure of such funds by the legislature. The court shall initially determine whether the suit is one involving the expenditure of public funds under any statute or law of this state to compel the expenditure of state funds. Any party in the suit may traverse, by summary proceeding, any affidavit submitted pursuant to this Section and after such traversal the court shall determine whether the contents of the affidavit, as traversed, are sufficient to invoke the prohibition against injunctive relief set forth in this Section."

Senator Lentini moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Heitmeier	Nevers
Boissiere	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—37		

#### NAYS

Total—0

#### ABSENT

Cain  
Total—2

Hainkel

The Chair declared the amendments proposed by the House were concurred in. Senator Lentini moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

#### **SENATE BILL NO. 711—**

BY SENATOR MCPHERSON

#### AN ACT

To enact R.S. 40:2009.22, relative to Medicaid nursing home beds being dually certified; to provide for nursing home operators to be required to dually certify beds that are certified for Medicaid reimbursement; to provide for a permissive grace period; to provide for penalties for failure to dually certify; and to provide for related matters.

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Bill No. 711 by Senator McPherson

#### AMENDMENT NO. 1

On page 1, line 2, after "nursing" and before "being" delete "home beds" and insert "homes" and after "being" and before "certified" delete "dually" and insert "Medicare Part A"

#### AMENDMENT NO. 2

On page 1, at the end of line 3, delete "dually certify beds that are" and at the beginning of line 4, delete "certified for Medicaid reimbursement" and insert "participate in the Medicare Part A skilled nursing facility program"

#### AMENDMENT NO. 3

On page 1, line 5, after "to" and before "certify" delete "dually" and after "certify" and before the semi-colon ";" insert "for Medicare"

#### AMENDMENT NO. 4

On page 1, line 8, after "\$2009.22." delete the remainder of the line and insert "Certification of nursing homes"

#### AMENDMENT NO. 5

On page 1, line 11, after "homes" and before "enrolled" delete "with beds" and after "program," and before "enrolled" delete "all beds" and insert "those nursing homes"

#### AMENDMENT NO. 6

On page 1, at the end of line 12, after "Medicare" and before "program" insert "Part A skilled nursing facility"

#### AMENDMENT NO. 7

On page 1, line 14, change "ninety" to "one hundred eighty"

#### AMENDMENT NO. 8

On page 1, line 15, after "participation," and before "beds" change "all" to "any"

#### AMENDMENT NO. 9

On page 2, line 3, after "in" delete the remainder of the line, and at the beginning of line 4, delete "for" and insert "Medicaid de-certification of"

## AMENDMENT NO. 10

On page 2, after line 4, insert the following:

"D. However, a skilled nursing facility enrolled in the Medicare Part A program shall not be required to enroll in the Medicaid program. If a Medicare certified skilled nursing facility desires to become Medicaid certified, it shall be required to comply with all requirements of the Facility Need Review program as set forth in R.S. 40:2116(B)(1) et seq."

Senator McPherson moved to concur in the amendments proposed by the House.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Jackson	Smith
Duplessis	Jones	Ullo
Total—36		

### NAYS

Total—0

### ABSENT

Cain	Hainkel	Theunissen
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator McPherson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

## **SENATE BILL NO. 762—**

BY SENATOR B. GAUTREAUX

### AN ACT

To authorize and provide for the transfer of certain state property in Assumption Parish to the Assumption Parish Police Jury; and to provide for related matters.

## HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Engrossed Senate Bill No. 762 by Senator Gautreaux

## AMENDMENT NO. 1

On page 1, line 3, after "Jury;" insert "to authroize the sale of certain state property in St. Tammany Parish;"

## AMENDMENT NO. 2

On page 2, between lines 14 and 15, insert the following:

"Section 3. The commissioner of administration and the secretary of the Department of Health and Hospitals, notwithstanding any other provision of law to the contrary, are hereby authorized and empowered to sell, convey, transfer, assign, and deliver for market value any interest, excluding mineral rights, the state may have to a tract of land owned by Southeast Louisiana State Hospital located in Section 42, Township 8S, Range 12E in St. Tammany Parish totaling between seven hundred and eight hundred acres located north and east of the sewerage treatment ponds.

Section 4. The commissioner of administration and the secretary of the Department of Health and Hospitals, on behalf of the state of Louisiana, are hereby authorized to enter into such agreements, covenants, conditions, and stipulations and to execute such documents as are necessary to properly effectuate any sale, conveyance, transfer, assignment, or delivery of title for market value, excluding mineral rights, to the property described in Section 3 herein, and as more specifically described in any such agreements entered into and documents executed by the commissioner of administration and the secretary of the Department of Health and Hospitals. After deposit to the State General Fund, an amount equal to the funds received from the sale of this property, not to exceed nine million dollars, shall be appropriated exclusively for the construction of an interchange at I-12 and Louisiana Highway No. 1088. Any funds received in excess of nine million dollars shall remain in the State General Fund."

## AMENDMENT NO. 3

On page 2, line 15, change "Section 3." to "Section 5."

Senator B. Gautreaux moved to reject the amendments proposed by the House.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Heitmeier	Mount
Boissiere	Holden	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Schedler
Dardenne	Jackson	Smith
Duplessis	Jones	Theunissen
Dupre	Kostelka	Ullo
Total—36		

### NAYS

Total—0

### ABSENT

Cain Cravins Hainkel  
Total—3

The Chair declared the amendments proposed by the House were rejected. Senator B. Gautreaux moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 861—**

BY SENATORS N. GAUTREAUX, LENTINI AND ROMERO  
AN ACT

To amend and reenact R.S. 9:315.40(9) and 315.41(A) and to enact R.S. 9:315.40(4)(d), relative to child support; to provide relative to the suspension of licenses for nonpayment of child support; to provide for definitions; to include licenses for the operation of motorboats, sailboats, and trailers in the definition of licenses; to provide for the suspension of such additional licenses; and to provide for related matters.

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 861 by Senator N. Gautreaux

**AMENDMENT NO. 1**

On page 1, line 5, after "operation of" and before "motorboats" insert "personal watercraft,"

**AMENDMENT NO. 2**

On page 2, line 6, after "vehicle," and before "motorboat" insert "personal watercraft."

**AMENDMENT NO. 3**

On page 2, at the beginning of line 19, before "motorboats," insert "personal watercraft."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Walker to Engrossed Senate Bill No. 861 by Senator N. Gautreaux

**AMENDMENT NO. 1**

On page 1, line 5, after "sailboats," and before "and" insert "all-terrain vehicles"

**AMENDMENT NO. 2**

On page 2, line 6, after "sailboat," and before "or" insert "all-terrain vehicle"

**AMENDMENT NO. 3**

On page 2, line 19, after "sailboats," and before "or" insert "all-terrain vehicles"

Senator N. Gautreaux moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Heitmeier	Mount
Boissiere	Holden	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Schedler
Dardenne	Jackson	Smith
Duplessis	Jones	Theunissen
Dupre	Kostelka	
Total—35		

NAYS

Total—0

ABSENT

Cain	Hainkel
Cravins	Ullo
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator N. Gautreaux moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Senate Bills and Joint Resolutions  
Returned from the House  
of Representatives with Amendments,  
Subject to Call**

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments, subject to call were taken up and acted upon as follows:

**Called from the Calendar**

Senator Barham asked that Senate Bill No. 58 be called from the Calendar at this time.

**SENATE BILL NO. 58—**

BY SENATORS BARHAM AND N. GAUTREAUX  
AN ACT

To enact R.S. 40:2010.8(A)(23) and 2010.10, relative to nursing homes; to add to the residents' bill of rights the right to have a copy of the most recent Department of Health and Hospitals annual licensing survey results provided by the facility; to require that the most recent Department of Health and Hospitals annual licensing survey results be provided to all residents, potential residents, and their sponsors; to provide procedure in the case of failure to make such a document available; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Bill No. 58 by Senator Barham

AMENDMENT NO. 1

On page 2, after line 14, insert the following:

"Section 2. This Act shall be known as "The Stella Act" in memory of Stella Cockrell Lee of West Monroe."

Senator Barham moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Boissiere	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Jackson	Smith
Duplessis	Jones	Theunissen
Dupre	Kostelka	Ullo
Ellington	Lentini	
Fields	Malone	
Total—34		

**NAYS**

Total—0

**ABSENT**

Adley	Cravins	Irons
Cain	Dardenne	
Total—5		

The Chair declared the amendments proposed by the House were concurred in. Senator Barham moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Called from the Calendar**

Senator Ellington asked that Senate Bill No. 145 be called from the Calendar at this time.

**SENATE BILL NO. 145—**

BY SENATOR ELLINGTON

**AN ACT**

To amend and reenact R.S. 9:2795.4(A)(3) and (F), relative to limitation of liability; to provide relative to motorized off-road vehicle activities; to increase the weight limitation on vehicles involved in such activities; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Conforming Amendments proposed by Representative McVea to Engrossed Senate Bill No. 145 by Senator Ellington (Duplicate of H.B. No. 45)

AMENDMENT NO. 1

On page 1, line 3, after "activities;" delete the remainder of the line and on line 4, delete "limitation on vehicles involved in such activities;" and insert "to provide for definitions;"

AMENDMENT NO. 2

On page 1, delete lines 14 and 15 in their entirety and insert "not exceeding a gross weight, as defined in R.S. 32:1(22), of eight thousand five hundred pounds."

Senator Ellington moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Hainkel	Nevers
Boissiere	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo
Dupre	Lentini	
Total—35		

**NAYS**

Total—0

**ABSENT**

Cain	Hollis
Cravins	Irons
Total—4	

The Chair declared the amendments proposed by the House were rejected. Senator Ellington moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**Called from the Calendar**

Senator B. Gautreaux asked that Senate Bill No. 161 be called from the Calendar at this time.

**SENATE BILL NO. 161—**

BY SENATOR B. GAUTREAUX

**AN ACT**

To enact Part XVI of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:559.1 through 559.9, and R.S. 36:629(Q), relative to the Louisiana Aquatic Chelonian Research and Promotion Board; to provide for definitions; to

provide for the composition, powers, and duties of the board; to provide for the powers of the commissioner of agriculture and forestry; to provide for a referendum for imposition of assessments and authorization for certain activities; to provide for the collection and disbursement of assessments; to provide for violations and penalties; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Reengrossed Senate Bill No. 161 by Senator B. Gautreaux

##### AMENDMENT NO. 1

On page 2, delete lines 26 and 27 and insert the following:

"B. The board shall consist of ten members, nine of whom shall be appointed by the commissioner and confirmed by the Senate, as follows:"

##### AMENDMENT NO. 2

On page 3, line 12, change "governor" to "commissioner"

##### AMENDMENT NO. 3

On page 3, line 20, change "governor" to "commissioner"

##### AMENDMENT NO. 4

On page 3, line 24, change "governor" to "commissioner"

##### AMENDMENT NO. 5

On page 3, line 26, change "governor" to "commissioner"

##### AMENDMENT NO. 6

On page 3, line 27, change "governor" to "commissioner"

##### AMENDMENT NO. 7

On page 3, line 28, after "board" delete the comma "," and the remainder of the line and at the beginning of line 29, delete "to timely submit names." and insert "to fill a vacancy."

##### AMENDMENT NO. 8

On page 4, at the end of line 10, after "subject to" delete "the" and delete line 11 in its entirety and insert "R.S. 42:4.1 et seq. and R.S. 44:1 et seq."

##### AMENDMENT NO. 9

On page 4, delete line 11 in its entirety

##### AMENDMENT NO. 10

On page 4, line 21, after "board" delete the period "." and insert a comma "," and "subject to the approval of the commissioner."

##### AMENDMENT NO. 11

On page 4, line 22, after "service." insert the following: "The commissioner is authorized to employ such other personnel necessary for the efficient and proper administration of this Part."

##### AMENDMENT NO. 12

On page 5, line 2, after "agreement" insert a comma "," and "with the concurrence of the commissioner,"

##### AMENDMENT NO. 13

On page 5, line 8, after "imposed" delete the comma ","

##### AMENDMENT NO. 14

On page 5, line 9, after "sought" delete the comma ","

##### AMENDMENT NO. 15

On page 5, between lines 25 and 26, insert the following:

"(5) To inspect all records during regular working hours."

##### AMENDMENT NO. 16

On page 5, line 26, change "(5)" to "(6)"

##### AMENDMENT NO. 17

On page 8, line 23, change "one" to "five"

##### AMENDMENT NO. 18

On page 8, line 27, after "Act" delete the remainder of the line and insert "and the following provisions:"

##### AMENDMENT NO. 19

On page 9, line 1, change "governor" to "commissioner"

##### AMENDMENT NO. 20

On page 9, line 2, after "shall make" change "the" to "an initial"

##### AMENDMENT NO. 21

On page 9, at the end of line 2, after "matter." insert "This determination shall be submitted to the commissioner in writing."

##### AMENDMENT NO. 22

On page 9, between lines 2 and 3, insert the following:

"(4) The commissioner shall make the final determination on the matter. If his determination differs from the determination of the board, the commissioner shall issue a written opinion based on the record of the hearing."

Senator B. Gautreaux moved to reject the amendments proposed by the House.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	

Total—38

NAYS

Total—0

ABSENT

Cain

Total—1

The Chair declared the amendments proposed by the House were rejected. Senator B. Gautreaux moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

### Rules Suspended

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of reverting to the order of

### Reports of Committees

The following reports of committees were received and read:

#### REPORT OF COMMITTEE ON

#### EDUCATION

Senator Ullo, Chairman on behalf of the Committee on Education, submitted the following report:

June 8, 2004

To the President and Members of the Senate:

I am directed by your Committee on Education to submit the following report:

#### HOUSE BILL NO. 1659—

BY REPRESENTATIVE K. CARTER

AN ACT

To enact R.S. 17:10.6, relative to school and district accountability; to provide for the status of a city, parish, or other local public school system which is academically in crisis; to provide for notice of the status; to provide for the powers of the school board of such a system; to provide for the powers of the school superintendent of such a system; to provide for definitions and audit and accounting requirements; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
CHRIS ULLO  
Chairman

### House Bills and Joint Resolutions on Second Reading Reported by Committees

Senator Hainkel asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

#### HOUSE BILL NO. 1659—

BY REPRESENTATIVE K. CARTER

AN ACT

To enact R.S. 17:10.6, relative to school and district accountability; to provide for the status of a city, parish, or other local public school system which is academically in crisis; to provide for notice of the status; to provide for the powers of the school board of such a system; to provide for the powers of the school superintendent of such a system; to provide for definitions and audit and accounting requirements; and to provide for related matters.

Reported with amendments by the Committee on Education.

### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 1659 by Representative Carter

#### AMENDMENT NO. 1

On page 1, line 14, change "board" to "superintendent of education" and after "notify" insert "the state board,"

#### AMENDMENT NO. 2

On page 3, line 19, between "of" and "law" insert "state"

#### AMENDMENT NO. 3

On page 4, line 1, change "of" to "after"

#### AMENDMENT NO. 4

On page 4, line 13, after "(e)" delete the remainder of the line and delete lines 14 through 16 and insert the following:

"(i)(aa) The superintendent shall develop a structured system improvement plan which contains timetables, measurable goals, and priorities and shall provide for instructional changes, organizational changes, and budgetary changes deemed necessary for the local school system to cease to be academically in crisis. Such plan shall be submitted within thirty days of receipt by the local board of notice of the effectiveness of this Section to the state board. The president of the state board shall submit the plan to an independent national organization with the expertise to make an evaluation of the plan which agrees to provide such evaluation to the state board within thirty days of its submission to them which is selected by the committee provided in Subitem (bb) of this Item. The plan shall provide for meaningful consultation with parents of children enrolled in the school system, an effective and comprehensive program of parental involvement strategies and activities to build the schools's and parents capacity for strong parental involvement. The plan shall be revised as determined necessary by the independent evaluator and by the state board until both the state board and the independent evaluator approves the plan.

(bb) The independent national organization shall be selected by a majority vote of a committee composed of a member of the State Board of Elementary of Secondary Education chosen by the governor, the chairman of the Legislative Audit Advisory Committee, and a member of the local school board chosen by its president.

(ii)(aa) Once the plan is approved, the local school board monthly may conduct a status hearing on the progress of each or any element of the system improvement plan. If a hearing is held, the superintendent shall report to the board on the status of the progress of the system in response to the implementation of the approved plan.



(bb) In addition, the superintendent shall provide a quarterly report on such status to the state board.

(iii) The failure of the superintendent to timely submit a system improvement plan or to revise the plan as required by the independent evaluator and by the state board or to respond to the local board at a status hearing or provide the state board with a quarterly report shall render the superintendent to be in noncompliance with the requirements of this Section.

(iv) Notwithstanding any other provision of this Section, the local board may terminate the superintendent upon a favorable vote of a majority of the elected members of the local board if he is in noncompliance under the terms of this Subparagraph."

#### AMENDMENT NO. 5

On page 4, delete lines 17 through 19 and insert the following:

"(f)(i) The superintendent shall seek and consider advice and input from the local board.

(ii) The superintendent shall have the authority to enter into and obligate the school system to any contracts not otherwise reserved to the local board in Paragraph (1) of Subsection C of this Section, subject to the requirements of this Paragraph.

(ii)(aa) The superintendent shall at the same time any request for proposals or request for quotations is solicited have delivered by facsimile transmission with a receipt or by United States postal service with return receipt requested to each local school board member at such member's home address and shall post at a location of public access reserved for such purpose in the offices of the local school board a copy of such request for any of the following type of contracts: a professional service contract, as defined in R.S. 39:1484(A)(18); a social service contract, as defined in R.S. 39:1484(A)(22); a personal contract, as defined in R.S. 39:1484(A)(16); a consulting service contract, as defined in R.S. 39:1484(A)(4); any contract for employee benefits; or, any other contract which is not subject to a state law requiring public bidding and which provides for more than two hundred and fifty thousand dollars in total expenditure.

(bb) The superintendent shall, not less than thirty days prior to entering into any contract of the following type, have delivered by facsimile transmission with a receipt or by United States postal service with return receipt requested to each local school board member at such member's home address and shall post at a location of public access reserved for such purpose in the offices of the local school board a summary of each such contract which summary contains, at a minimum, a description of the service or item being provided pursuant to the contract, the identity of the contractor, the duration of the contract, and the dollar amount in total expenditure provided for by such contract: a professional service contract, as defined in R.S. 39:1484(A)(18); a social service contract, as defined in R.S. 39:1484(A)(22); a personal contract, as defined in R.S. 39:1484(A)(16); a consulting service contract, as defined in R.S. 39:1484(A)(4); any contract for employee benefits; or, any other contract which is not subject to a state law requiring public bidding and which provides for more than two hundred and fifty thousand dollars in total expenditure.

(iii) Prior to the conclusion of the thirtieth day after the delivery and posting of the contract summary as required in Item (ii) of this Subparagraph, the local school board may prohibit the superintendent from initiating or renewing such contract by a vote of two-thirds of the elected members of the board.

(iv) The provisions of Items (ii) and (iii) of this Subparagraph shall not apply to any contract which provides for a total expenditure of twenty-five thousand dollars or less.

(v) Notwithstanding any requirements of this Subparagraph, whenever an exigent circumstance exists that requires a contract be entered into on an expedited basis, the superintendent may enter into any contract without compliance with the requirements of this Paragraph upon a favorable vote of the majority of the elected members of the local board."

#### AMENDMENT NO. 6

On page 4, line 25, after "salary" insert a period and delete the remainder of the line and delete line 26 in its entirety

#### AMENDMENT NO. 7

On page 5, line 25, change "local board" to "superintendent"

#### AMENDMENT NO. 8

On page 6, line 3, change "local board" to "superintendent"

#### AMENDMENT NO. 9

On page 6, line 13, after "located" insert "or the appropriate United States attorney when irregularities are revealed which may be a violation of federal law"

#### AMENDMENT NO. 10

On page 6, delete lines 21 through 25

On motion of Senator Ullo, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

### Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

#### SENATE BILL NO. 352—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:416(A)(3)(c), relative to the Louisiana State Employees' Retirement System; to provide with respect to reemployment of retired members; to provide with respect to earnings limitations; repayment of excess earnings, and notifications by the employing agency; to provide for an effective date; and to provide for related matters.

### Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 352 by Senator Boissiere

#### AMENDMENT NO. 1

On page 1, line 2, following "To" and before "R. S. 11: 416(A)(3)(c)" change "amend and reenact" to "enact"

**AMENDMENT NO. 2**

On page 1, line 9, change "amended and reenacted" to "enacted"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Boissiere moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Irons	Schedler
Cravins	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo
Dupre	Lentini	
Total—35		

**NAYS**

Total—0

**ABSENT**

Boasso	Hainkel
Cain	Hollis
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 622—**  
BY SENATOR BOISSIERE

**AN ACT**

To amend and reenact R.S. 11:102(A) and (B)(3)(d), and 542(A), (B), (C)(1)(introductory paragraph), and (D), and to enact R.S. 11:102(B)(5), relative to state retirement systems; to provide relative to payment of unfunded accrued liabilities of the Louisiana State Employees' Retirement System; to provide for amortization of unfunded accrued liabilities over a forty-year period or in accordance with standards promulgated by the Governmental Accounting Standards Board from the time of occurrence; to include negative employee experience account balances in the unfunded accrued liability; to provide for experience account credits; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Irons	Schedler
Cravins	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo
Dupre	Lentini	
Total—35		

**NAYS**

Hainkel  
Total—1

**ABSENT**

Bajoie	Cain	Hollis
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Senator Fontenot in the Chair**

**SENATE BILL NO. 623—**  
BY SENATOR BOISSIERE

**AN ACT**

To amend and reenact R.S. 11:102(A) and (B)(3)(d), and 883.1(A), (B), (C)(1)(introductory paragraph), and (D), and to enact R.S. 11:102(B)(5), relative to state retirement systems; to provide relative to payment of unfunded accrued liabilities of the Teachers' Retirement System of Louisiana; to provide for amortization of unfunded accrued liabilities over a thirty-year period or in accordance with standards promulgated by the Governmental Accounting Standards Board from the time of occurrence; to include negative employee experience account balances in the unfunded accrued liability; to provide for experience account credits; to provide for an effective date; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lentini sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 623 by Senator Boissiere

AMENDMENT NO. 1

On page 1, lines 3 and 14, delete ", and (D),"

AMENDMENT NO. 2

On page 1, line 3, following "R. S. 11:102(B)(5)," insert "and to repeal R. S. 11:883.1(D),"

AMENDMENT NO. 3

On page 6, between lines 2 and 3, insert "Section 2. R.S. 11:883.1(D) is hereby repealed."

AMENDMENT NO. 4

On page 6, line 3, change "Section 2" to "Section 3"; and, on line 7, change "Section 3" to "Section 4"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Boissiere moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adeley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Heitmeier	Mount
Boissiere	Holden	Nevers
Chaisson	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Jackson	Smith
Duplessis	Jones	Theunissen
Dupre	Kostelka	Ullo
Ellington	Lentini	
Total—35		

**NAYS**

Hainkel  
Total—1

**ABSENT**

Mr. President	Cain	Cheek
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 845—**

BY SENATORS FONTENOT AND NEVERS  
AN ACT

To amend and reenact R.S. 51:2453(4) and 2454(C)(1), to enact R.S. 51:2453(6) and 2460(C) and (D), and to repeal R.S. 51:2454(C)(2), relative to the Louisiana Quality Jobs Programs Act; to expand the definition of "new direct job" to include employees of a facility management contractor in certain

instances; to provide for definitions; to provide for penalties; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

**SENATE BILL NO. 858—**

BY SENATORS KOSTELKA, MICHOT AND NEVERS AND  
REPRESENTATIVE WALSWORTH  
AN ACT

To amend and reenact R.S. 51:2454(C)(1), to enact R.S. 51:2453(1)(a)(i)(dd), and to repeal R.S. 51:2454(C)(2), relative to the Louisiana Quality Jobs Program; to provide for participation in the program for certain small Vision 2020 cluster businesses; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lentini sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Reengrossed Senate Bill No. 858 by Senator Kostelka

AMENDMENT NO. 1

On page 2, line 8, at the end of the line, change "Paragraph" to "Item"

AMENDMENT NO. 2

On page 2, line 10, at the beginning of the line, change "Subsubsubsubparagraph" to "Subitem"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Kostelka moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adeley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Ellington	Lentini	
Total—37		

**NAYS**

Total—0

ABSENT

Mr. President                      Cain  
Total—2

The Chair declared the amended bill was passed. The title was read and adopted. Senator Kostelka moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Mr. President in the Chair****Senate Bills and Joint Resolutions on  
Third Reading and Final Passage,  
Subject to Call**

The following Senate Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

**Called from the Calendar**

Senator Jones asked that Senate Bill No. 784 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 784—  
BY SENATOR JONES****AN ACT**

To enact R.S. 33:9038.25, relative to special districts; to create the South Monroe Economic Development District; to provide for the purpose and governance of the district; to provide for its rights and powers, including the authority to tax increment financing by the district; to provide for an effective date; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lentini sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 784 by Senator Jones

**AMENDMENT NO. 1**

On page 5, line 29, following "for" and before "welfare" insert "the"

On motion of Senator Lentini, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Jones sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Jones to Engrossed Senate Bill No. 784 by Senator Jones

**AMENDMENT NO. 1**

On page 1, line 16, delete "for"

**AMENDMENT NO. 2**

On page 1, line 17, delete "and"

**AMENDMENT NO. 3**

On page 2, line 1, between "district," and "a" insert "and"

**AMENDMENT NO. 4**

On page 3, line 18, change ", the" to ". The"

**AMENDMENT NO. 5**

On page 4, at the beginning of line 20, add "F."

**AMENDMENT NO. 6**

On page 4, line 21, change "policy" to "system"

**AMENDMENT NO. 7**

On page 4, line 23, change "obligation" to "obligations" and "standards" to "system"

**AMENDMENT NO. 8**

On page 4, at the beginning of line 29, add "G."

**AMENDMENT NO. 9**

On page 4, line 2, change "F." to "H."

**AMENDMENT NO. 10**

On page 4, line 6, between "to" and "full" insert "the"

**AMENDMENT NO. 11**

On page 4, line 20, change "G." to "I."

**AMENDMENT NO. 12**

On page 4 line 29, change "H." to "J."

On motion of Senator Jones, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Jones sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Jones to Engrossed Senate Bill No. 784 by Senator Jones

**AMENDMENT NO. 1**

On page 1, line 3, after "District;" insert "to provide for members and their appointments;"

**AMENDMENT NO. 2**

On page 1, at the end of line 3, change "district" to "district's strategic plan"

**AMENDMENT NO. 3**

On page 1, line 5, after "district;" insert "to provide for term limits; to provide for an annual budget;"

**AMENDMENT NO. 4**

On page 2, line 6, after "board" delete the remainder of the line and insert the following: "of nine commissioners, hereafter referred to as the "board", consisting of the following people:"

AMENDMENT NO. 5

On page 2, delete line 8

AMENDMENT NO. 6

On page 2, delete line 9 and insert "(a) The mayor or his designee."

AMENDMENT NO. 7

On page 2, line 10, change "(c)" to "(b)" and after "three members" insert "shall be" and on line 11, after "the district" insert "and shall have as near as practicable, the backgrounds and expertise as set forth in Paragraph (2) of this Subsection"

AMENDMENT NO. 8

On page 2, line 12, change "(d)" to "(c)"

AMENDMENT NO. 9

On page 2, line 13, after "representatives" insert "which appointee shall have as near as practicable, the background and expertise as set forth in Paragraph (2) of this Subsection"

AMENDMENT NO. 10

On page 2, delete line 14, and insert the following:

"(d) Two members of the Southside Economic Development District board of commissioners appointed by the chairman of the board who shall have as near as practicable, the background and expertise as set forth in Paragraph (2) of this Subsection."

AMENDMENT NO. 11

On page 2, delete lines 15 and 16 in their entirety and insert:

"(e) One member appointed by the Minority Business Council who shall be an elector who resides within the boundaries of South Monroe Economic Development District.

(2) Members appointed as provided for in Paragraph (1) of this Subsection, as near as practicable, shall have the following backgrounds and expertise:

(a) Real estate broker or real estate developer.

(b) Banker.

(c) Economic consultant.

(d) Architect/engineer.

(e) Planner/urban developer.

(f) Citizen member who is a successful business owner/entrepreneur."

AMENDMENT NO. 12

On page 2, line 17, change "(2)" to "(3)" and on line 22, change "(3)" to "(4)" and on line 26, change "(4)" to "(5)" and on line 28, change "(5)" to "(6)"

AMENDMENT NO. 13

On page 3, at the end of line 5, insert the following:

"The board may appoint or hire employees and an executive director as it deems necessary for the purpose of carrying out its day to day work operation for convenience and effectiveness in the administration of plans. The board may contract with consultants for project management and with developers or planners for such services as it may require. The board may delegate certain authority to its employees, consultants and executive director to act on its behalf which delegation of authority shall be specific and in writing."

AMENDMENT NO. 14

On page 3, between lines 5 and 6, insert the following:

"(7) The term for each member of the board shall be as follows:

(a) The mayor or his designee shall serve for four years.

(b) The three members appointed by the city council members shall serve for four years.

(c) The two members appointed by the senator and the representative whose legislative district is within the district shall serve for six years.

(d) One member appointed by the Southside Economic Development District board of commissioners shall serve for four years and one member appointed shall serve for six years, as designated by the board.

(e) The member appointed by the Minority Business Council shall serve for two years.

(8) The original appointing authority shall have the authority to replace or fill any vacancy of an unexpired term of the member that they appointed for cause stated in writing.

(9) All members on the board shall serve without compensation."

AMENDMENT NO. 15

On page 3, at the beginning of line 15, between "(4)" and "The" insert the following:

"The board of commissioners shall prepare an annual budget of its operating expenses, the total amount of which, exclusive of gifts, shall be within the total amounts appropriated for that purpose by the board. The board of commissioners shall have an annual audit of its operating expenses available for public review."

AMENDMENT NO. 16

On page 3, line 28, after "Appoint" delete "officers,"

AMENDMENT NO. 17

On page 4, line 9, after "collect" delete the remainder of the line and insert "sales taxes on the occupancy of hotel rooms and motel rooms in the district which shall be"

AMENDMENT NO. 18

On page 4, line 10, delete "its own hotel occupancy tax (which is"

AMENDMENT NO. 19

On page 4, line 11, after "authorities" delete the parenthesis ")" and insert "and on new developments"

AMENDMENT NO. 20

On page 5, line 27, after "Southside" insert "Economic" and after "Development" insert "District" and change "Board" to "board"

AMENDMENT NO. 21

On page 5, at the beginning of line 29, change "Commissioners" to "commissioners"

AMENDMENT NO. 22

On page 6, between lines 1 and 2 insert the following:

"Section 2. The provisions of this Act shall not affect any school system for any purpose."

AMENDMENT NO. 23

On page 6, line 2, change "Section 2." to "Section 3."

On motion of Senator Jones, the amendments were adopted.

On motion of Senator Jones, the amended bill was read by title and returned to the Calendar, subject to call.

### Called from the Calendar

Senator Chaisson asked that Senate Bill No. 101 be called from the Calendar at this time for its final passage.

#### SENATE BILL NO. 101— BY SENATOR CHAISSON

##### AN ACT

To amend and reenact R.S. 13:352(C), and to enact R.S. 13:352(D), relative to expenses of judges of courts of appeal; to eliminate provisions which authorize the use of the balance of filing fees in the courts of appeal to be used for reimbursement of expenses; to authorize an unvouchered expense allowance from such funds; and to provide for related matters.

### Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed Senate Bill No. 101 by Senator Chaisson

##### AMENDMENT NO. 1

On page 1, line 2, after "reenact" insert "R.S. 11:403(10) and"

##### AMENDMENT NO. 2

On page 1, between lines 7 and 8, insert the following:  
"Section 1. R.S. 11:403(10) is hereby amended and reenacted to read as follows:

§403. Definitions

The following words and phrases used in this Chapter, unless a different meaning is clearly required by the context, shall have the following meanings:

\* \* \*

(10)"Earned compensation" means the base pay earned by an employee for a given pay period as reported to the system on a monthly basis by the agency which shall include the cash value of any emolument of office in the form of paid compensation in lieu of salary which is subject to federal and state payroll taxes and includes the full amount earned by an employee, overtime, and per diem earned by an employee of the House of Representatives, the Senate, or an agency of the legislature, and expense allowances and per diem paid to members of the legislature, the clerk, or sergeant at arms of the House of Representatives and president and secretary or sergeant at arms of the Senate. **"Earned compensation" shall not include the expense allowance authorized to be paid by R.S. 13:352(D).**

\* \* \*

##### AMENDMENT NO. 3

On page 1, line 8, change "Section 1." to "Section 2."

##### AMENDMENT NO. 4

On page 2, line 12, after "required under R.S. 13:351." insert "This allowance shall not be included as "earned compensation" for retirement purposes under R.S. 11:403(10)."

On motion of Senator Heitmeier, the amendments were adopted.

The bill was read by title. Senator Chaisson moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Amedee	Fields	Lentini
Boissiere	Gautreaux, B	McPherson
Chaisson	Gautreaux, N	Romero
Duplessis	Holden	
Dupre	Jones	
Total—13		

#### NAYS

Adley	Fontenot	Mount
Bajoie	Hainkel	Nevers
Barham	Heitmeier	Schedler
Boasso	Hollis	Smith
Cravins	Kostelka	Theunissen
Dardenne	Malone	Ullo
Ellington	Michot	
Total—20		

#### ABSENT

Mr. President	Cheek	Jackson
Cain	Irons	Marionneaux
Total—6		

The Chair declared the amended bill failed to pass.

### Notice of Reconsideration

Senator Chaisson, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

### Called from the Calendar

Senator Nevers asked that Senate Bill No. 745 be called from the Calendar at this time.

#### SENATE BILL NO. 745— BY SENATOR NEVERS

##### AN ACT

To amend and reenact R.S. 33:106, relative to the general powers and duties of parish and municipal planning commissions; to change the authority of a parish or municipality planning commission to adopt a master plan from mandatory to permissive; and to provide for related matters.

On motion of Senator Nevers, the bill was read by title and withdrawn from the files of the Senate.

### House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

#### HOUSE BILL NO. 791—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact Code of Civil Procedure Article 893(A)(1), relative to pleadings; to provide for the pleading of damages; and to provide for related matters.

The bill was read by title. Senator Hainkel moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

#### NAYS

Total—0

#### ABSENT

Cain  
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Hainkel moved to reconsider the vote by which the bill was passed and laid the motion on the table.

#### HOUSE BILL NO. 885—

BY REPRESENTATIVE BEARD

AN ACT

To enact R.S. 30:2394(E), relative to the water quality; to provide for permit requirements for irrigating with water from certain sources; and to provide for related matters.

### Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed House Bill No. 885 by Representative Beard

#### AMENDMENT NO. 1

On page 1, line 2, between “To” and “enact” insert “amend and reenact R.S. 30:2418(I) and to”

#### AMENDMENT NO. 2

On page 1, line 2, change “water” to “environmental”

#### AMENDMENT NO. 3

On page 1, line 3, after “sources;” insert “to provide for waste tires;”

#### AMENDMENT NO. 4

On page 1, line 5, after “Section 1.” delete the remainder of the line and insert the following:

“R.S. 30:2418(I) is hereby amended and reenacted and 30:2394(E) is hereby enacted to read as follows:”

#### AMENDMENT NO. 5

On page 1, after line 10, insert the following:

“§2418. Waste tires

\* \* \*

I(1). The fee on new tires authorized to be levied pursuant to R.S. 30:2413(A)(8) shall not exceed two dollars per passenger/light truck/small farm service tire, five dollars per medium truck tire, and ten dollars per off-road tire. The secretary may provide for exemptions from the fees levied on the sale of tires pursuant to this Chapter in the regulations provided for in Subsection H of this Section, including but not limited to the sale of for the sale of tires sold at wholesale, and certain tires which are de minimis in nature, including but not limited to lawn mower tires, bicycle tires, and golf cart tires. The secretary may provide for other exemptions only if the legislative fiscal office certifies in connection with the department's rulemaking authority that such exemptions will not adversely impact the ability of the secretary to satisfy all obligations of the fund. If at any time the fund should be unable to satisfy its obligations, the secretary shall promulgate regulations withdrawing the exemptions provided for in this Subsection.

I(2). For the purpose of satisfying unpaid obligations of the fund to waste tire processors, effective July 1, 2004, for each month in which there are unpaid obligations of the fund to waste tire processors and in which the fund has a surplus after satisfying all obligations of the fund for that month, such surplus shall be distributed in equal shares to those waste tire processors for whom there are unpaid obligations of the fund; however, no waste tire processor shall receive distributions in excess of the amount required to satisfy the unpaid obligation of the fund to such waste tire processor. Such excess distributions shall be made within fifteen days after the end of the month in which the surplus arose.

I(3). The Department shall not issue any permit to process waste tires nor approve the transfer of any permit to process waste tires prior to satisfaction in full of unpaid obligations to waste tire processors. This Paragraph shall not apply to waste tire processors

who are under agreement with the Department as of March 1, 2004 to process waste tires and that have received payments from the fund within the six month period prior to the effective date of this Act."

On motion of Senator Marionneaux, the amendments were adopted.

The bill was read by title. Senator Fontenot moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

#### NAYS

Total—0

#### ABSENT

Cain  
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 896—

BY REPRESENTATIVE MARTINY

#### AN ACT

To enact R.S. 27:30.3 and to repeal R.S. 27:114 and 365(5), relative to the monitoring and reading of certain electronic gaming devices; to provide that electronic gaming devices at certain gaming establishments shall be linked by telecommunication to a central computer system for purposes of monitoring and reading device activities; to provide for the assessment and collection of fees; to provide for the adoption of rules; to provide for exceptions; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Ellington	Kostelka
Adley	Fields	Lentini
Amedee	Fontenot	Malone
Bajoie	Gautreaux, B	Marionneaux
Boasso	Gautreaux, N	McPherson
Boissiere	Hainkel	Michot
Chaisson	Heitmeier	Mount
Cheek	Holden	Nevers
Cravins	Hollis	Romero
Dardenne	Irons	Schedler
Duplessis	Jackson	Theunissen
Dupre	Jones	Ullo
Total—36		

#### NAYS

Barham  
Total—2

#### ABSENT

Cain  
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 909—

BY REPRESENTATIVE MARTINY

#### AN ACT

To amend and reenact Code of Criminal Procedure Article 895.4, relative to crime stoppers organizations and the additional cost of court which is imposed on offenders who are convicted of criminal and traffic violations and which is used to fund certain operations of those organizations; to provide for the certification of crime stoppers organizations by sheriffs and chiefs of police; to provide for the payment of the funds derived from the additional cost of court to certified crime stoppers organizations; to provide for the use of those funds; to provide definitions; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount



Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Cain  
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Senator Ellington in the Chair**

**HOUSE BILL NO. 925—**  
BY REPRESENTATIVE JACK SMITH  
AN ACT

To enact R.S. 15:542(B)(6), relative to notification by sex offenders; to provide with respect to posting of notices in certain places of business; and to provide for related matters.

The bill was read by title. Senator B. Gautreaux moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Adley	Ellington	Kostelka
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Chaisson	Heitmeier	Nevers
Cheek	Holden	Romero
Cravins	Hollis	Schedler
Dardenne	Irons	Smith
Duplessis	Jackson	Theunissen
Dupre	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Cain	Lentini
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator B. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 971—**  
BY REPRESENTATIVE BRUCE  
AN ACT

To enact R.S. 13:756.12, relative to establishing a branch office of the clerk of court in DeSoto Parish; to authorize the clerk of court of the parish of DeSoto to establish a branch office in Stonewall; to provide for duties and functions of the branch office; and to provide for related matters.

The bill was read by title. Senator Jackson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boasso	Gautreaux, N	Nevers
Boissiere	Hainkel	Romero
Chaisson	Heitmeier	Schedler
Cheek	Holden	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—35		

NAYS

Total—0

ABSENT

Cain	Irons
Hollis	Lentini
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Jackson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1132—**  
BY REPRESENTATIVE FARRAR  
AN ACT

To enact R.S. 40:966(E)(5), relative to possession of marijuana; to provide that prior convictions of distribution, dispensing, or possession with intent to distribute or dispense marijuana may serve as predicate offenses for penalties for multiple offenders; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Hainkel	Nevers
Boissiere	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Dupre	Kostelka	

Total—37

**NAYS**

Total—0

**ABSENT**

Cain	Lentini
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1425—**

BY REPRESENTATIVE MARTINY  
AN ACT

To enact R.S. 39:198(F), relative to contracts for the Video Gaming Monitoring System; to authorize the Department of Public Safety and Corrections to enter into a multiyear contract for up to ten years for the monitoring of video draw poker devices as required by law; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Jones
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Chaisson	Heitmeier	Romero
Cheek	Holden	Schedler
Cravins	Hollis	Smith
Dardenne	Irons	Theunissen

Duplessis  
Total—36

Jackson  
Ullo

**NAYS**

Total—0

**ABSENT**

Cain	Kostelka	Lentini
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1430—**

BY REPRESENTATIVE BRUNEAU  
AN ACT

To amend and reenact R.S. 37:1483 and to enact R.S. 9:5608, relative to home inspectors; to provide a prescriptive period for actions against home inspectors; to provide for applicability of provisions; to provide for exceptions; to exempt certain persons from licensure requirements under the Louisiana Home Inspector Licensing Law; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	

Total—35

**NAYS**

Total—0

**ABSENT**

Amedee	Hainkel
Cain	Lentini
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1431—**

BY REPRESENTATIVE LAMBERT  
AN ACT

To amend and reenact R.S. 37:2551(D), relative to the Board of Examiners of Certified Shorthand Court Reporters; to provide for the payment of per diem to board members; to restrict the number of per diem payments for special meetings; and to provide for related matters.

The bill was read by title. Senator Amedee moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Malone
Adeley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Heitmeier	Nevers
Boissiere	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—37		

**NAYS**

Total—0

**ABSENT**

Cain	Hainkel
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Amedee moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1545—**

BY REPRESENTATIVES MARTINY AND BRUCE  
AN ACT

To amend and reenact R.S. 27:311(H) and (K)(4), relative to video draw poker device fees; to provide that processing fees are collected annually; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

**HOUSE BILL NO. 1579—**

BY REPRESENTATIVE JACK SMITH  
AN ACT

To enact R.S. 26:71.1(4)(d) and R.S. 27:306(A)(8), relative to the operation of video draw poker devices at certain golf courses; to provide with respect to the licensing requirements for the operation of video draw poker devices at certain golf courses; to provide relative to the sale of alcoholic beverages at certain golf

courses; to provide for the issuance of a conditional alcoholic beverage permit to certain golf courses; to provide for the continued operation of video draw poker devices at certain golf courses; and to provide for related matters.

**Floor Amendments Sent Up**

Senator B. Gautreaux sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator B. Gautreaux to Engrossed House Bill No. 1579 by Representative Jack Smith

**AMENDMENT NO. 1**

On page 1, line 2, after “To” and before “enact” insert “amend and reenact R.S. 27:91(C)(4) (introductory paragraph) and to”

**AMENDMENT NO. 2**

On page 1, line 3, after the semicolon “;” and before “to” insert “to provide for a reduction in the fees on certain riverboats;”

**AMENDMENT NO. 3**

On page 2, after line 15, insert the following:

“Section 3. R.S. 27:91(C)(4)(introductory paragraph) is hereby amended and reenacted to read as follows:

§91. Fees for issuance of licenses and permits

\* \* \*

C.

\* \* \*

(4) On and after April 1, 2001, a riverboat gaming licensee conducting gaming activities while the riverboat is docked under the provisions of R.S. 27:66 and operating in St. Mary Parish shall pay a franchise fee or fees as follows:

\* \* \*

Senator B. Gautreaux moved adoption of the amendments.

Senator Hollis objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Duplessis	Heitmeier
Boissiere	Dupre	Holden
Chaisson	Fields	Jones
Cheek	Gautreaux, B	Marionneaux
Total—12		

**NAYS**

Adeley	Hollis	Nevers
Amedee	Jackson	Romero
Barham	Kostelka	Schedler
Boasso	Lentini	Smith
Dardenne	Malone	Theunissen
Ellington	McPherson	Ullo
Fontenot	Michot	

Hainkel  
Total—22

Mount  
  
ABSENT

Mr. President  
Cain  
Total—5

Cravins  
Gautreaux, N  
Irons

The Chair declared the amendments were rejected.

The bill was read by title. Senator B. Gautreaux moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Duplessis	Jackson
Bajoie	Dupre	Jones
Boissiere	Gautreaux, B	Marionneaux
Chaisson	Gautreaux, N	McPherson
Cheek	Heitmeier	Romero
Cravins	Holden	
Total—17		

#### NAYS

Amedee	Hollis	Nevers
Barham	Irons	Schedler
Boasso	Kostelka	Smith
Dardenne	Lentini	Theunissen
Ellington	Malone	Ullo
Fields	Michot	
Fontenot	Mount	
Total—19		

#### ABSENT

Mr. President  
Total—3

Cain  
Hainkel

The Chair declared the bill failed to pass.

### Notice of Reconsideration

Senator B. Gautreaux, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

### HOUSE BILL NO. 1697 (Substitute for House Bill No. 153 by Representative Faucheux)—

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To amend and reenact R.S. 13:2586(C)(1) and to enact R.S. 13:2586(E), relative to jurisdiction of justice of the peace courts; to provide for certain parishwide jurisdiction in criminal matters; to provide for retention of original jurisdiction over certain judgments; to provide that a constable of the court has parishwide jurisdiction to enforce certain civil judgments; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Ellington	Lentini	
Total—37		

#### NAYS

Total—0

#### ABSENT

Mr. President  
Total—2

Cain

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 114— BY REPRESENTATIVE ODINET

#### AN ACT

To amend and reenact R.S. 22:1404(3)(d)(iii), relative to automobile liability insurance rates; to provide for discounts; to provide for defensive driving; to provide for senior drivers; and to provide for related matters.

The bill was read by title. Senator Boasso moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Hainkel	Nevers
Boissiere	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith

Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Dupre	Lentini	
Total—37		

NAYS

Kostelka  
Total—1

ABSENT

Cain  
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Boasso moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 269—**

BY REPRESENTATIVE ERDEY

AN ACT

To amend and reenact R.S. 22:234(A)(introductory paragraph), 237(A)(introductory paragraph), (B), and (D), 238, and 240(B)(3), (D), and (F)(4) and to repeal R.S. 22:234(A)(11), relative to the Louisiana Health Plan; to provide relative to the board of directors of the plan, eligibility requirements, administration of the benefits plan of the plan, and benefit availability; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Amedee	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Ellington	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Bajoie  
Total—2

Cain

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 271—**

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 37:1207(A) and to enact R.S. 36:254(A)(15), relative to the Louisiana Board of Pharmacy; to provide with respect to the powers and duties of the board and the renewal of license, registration, and certification; to authorize the board to issue a probationary license to a pharmacist who is delinquent in paying certain fees or taxes; to require the secretary of the Department of Health and Hospitals to develop a program to notify the Louisiana Board of Pharmacy with respect to fees and taxes payable to the department by licensed pharmacists; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Marionneaux sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Marionneaux to Engrossed House Bill No. 271 by Representative St. Germain

**AMENDMENT NO. 1**

On page 1, line 2 after "33:4569.3(11)," insert "and to enact R.S. 33:4569.3(13),"

**AMENDMENT NO. 2**

On page 1, line 4 after "levy;" insert "to provide for the use of certain revenues by either the Iberville Parks and Recreation District or Iberville Parish for certain donated property;"

**AMENDMENT NO. 3**

On page 1, line 9 after "reenacted" insert "and R.S. 33:4569.3(13) is hereby enacted"

**AMENDMENT NO. 4**

On page 2, between lines 3 and 4, insert the following:

"(13) Any revenues collected or generated from the P.W. Holiday & Son, Ltd. (Assessment # 0700848575) shall be used to maintain the P.W. Holiday Park (established by donated property to either Iberville Parks and Recreation District or Iberville Parish)."

On motion of Senator Marionneaux, the amendments were adopted.

The bill was read by title. Senator Marionneaux moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Adley

Fields

Malone

Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Heitmeier	Mount
Boissiere	Holden	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Schedler
Dardenne	Jackson	Smith
Duplessis	Jones	Theunissen
Dupre	Kostelka	Ullo
Ellington	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Cravins
Cain	Hainkel
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Marionneaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 349—**

BY REPRESENTATIVES HEBERT, K. CARTER, ERDEY, FAUCHEUX, JACKSON, MORRISH, GARY SMITH, TOWNSEND, TUCKER, AND WALSWORTH

AN ACT

To amend and reenact R.S. 22:636.2(D), relative to property, casualty, and liability insurance; to provide for claims; to provide for homeowners' policies; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Cravins sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Cravins to Engrossed House Bill No. 349 by Representative Hebert

**AMENDMENT NO. 1**

On page 1, line 2, after “22:” and before “636.2(D)” insert “636.1(L) and”

**AMENDMENT NO. 2**

On page 1, line 2, after “relative to” and before “property” insert “automobile,”

**AMENDMENT NO. 3**

On page 1, line 3, after “claims;” and before “to provide” insert “to provide for automobile policies;”

**AMENDMENT NO. 4**

On page 1, line 6, after “22:” and before “636.2(D)” insert “636.1(L) and”

**AMENDMENT NO. 5**

On page 1, line 6, change “is” to “are”

**AMENDMENT NO. 6**

On page 1, between lines 6 and 7 add the following:

“§636.1 Automobile, Property, Casualty, and Liability Insurance Policies, Cancellations

\* \* \*

L. No insurer shall cancel an automobile insurance policy for any insured solely on the ground that the insured has submitted a single claim under his or her policy for damage incurred or arising from the operation of an automobile. The provisions of this Subsection shall not prohibit an insurer from increasing the cost of the insured's premium based on the number of claims submitted under his or her policy for damage incurred or arising from the operation of an automobile. For the purposes of this Subsection, an incident shall be deemed a claim only when there is a demand for payment under the terms of the policy. A report of loss or a question relating to coverage shall not independently establish a claim.

\* \* \*

On motion of Senator Cravins, the amendments were adopted.

The bill was read by title. Senator Boissiere moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Schedler
Cravins	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cain	Hainkel	Holden
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 352—**

BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 22:5(10) and 215(A)(1)(a)(iv) and (vi), relative to health insurance; to provide with respect to coverage provided through an employee benefit trust, a multiple benefit trust, or an association; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Irons sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Irons to Engrossed House Bill No. 352 by Representative Carter

**AMENDMENT NO. 1**

On page 1, line 2, after "22:5(10)" insert ", 213.7(G)"

**AMENDMENT NO. 2**

On page 1, line 4, after "association;" insert the following:  
"to clarify the use of genetic information as it relates to critical illness policies;"

**AMENDMENT NO. 3**

On page 1, line 6, after "22:5(10)" insert ", 213.7(G)"

**AMENDMENT NO. 4**

On page 1, following line 18, insert the following:

"§213.7. Prohibited discrimination; genetic information; disclosure requirements; definitions

\* \* \*

G. Notwithstanding any provision to the contrary, this Section does not apply to any actions of an insurer or third parties dealing with an insurer taken in the ordinary course of business in connection with the sale, issuance, or administration of a life, disability income, ~~or long-term care, or critical illness~~ insurance policy. For the purposes of this Section, "critical illness" insurance policy shall mean health insurance providing a principle sum of benefit following diagnosis of specifically named perils.

\* \* \*

On motion of Senator Irons, the amendments were adopted.

The bill was read by title. Senator Irons moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Heitmeier	Mount

Chaisson

Cheek

Cravins

Dardenne

Duplessis

Dupre

Total—36

Holden

Hollis

Irons

Jackson

Jones

Kostelka

NAYS

Total—0

ABSENT

Mr. President

Cain

Hainkel

Total—3

The Chair declared the amended bill was passed. The title was read and adopted. Senator Irons moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 360—**

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 40:1728.1, relative to the state uniform construction code; to provide for a fee schedule for enforcement of the code by the state fire marshal on behalf of political subdivisions; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Lentini	
Ellington	Malone	
Total—34		

NAYS

Adley

Kostelka

Total—2

ABSENT

Mr. President

Cain

Hainkel

Total—3

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 419—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 4:144(B), relative to members of the State Racing Commission; to prohibit a horse owned directly or indirectly by a commission member from racing in Louisiana; to provide for consequences; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Ellington	Lentini	
Total—37		

**NAYS**

Total—0

**ABSENT**

Mr. President	Cain
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 643—**

BY REPRESENTATIVES HEBERT AND CROWE

AN ACT

To enact R.S. 22:14(E), relative to life insurance policies; to provide for a database; to provide for exceptions; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Boissiere sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Boissiere to Engrossed House Bill No. 643 by Representative Hebert

**AMENDMENT NO. 1**

Delete all Senate Committee Amendments proposed by the Senate Committee on Insurance and adopted by the Senate on May 27, 2004.

Senator Boissiere moved adoption of the amendments.

Senator Hainkel objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Fields	Jones
Boissiere	Fontenot	Kostelka
Chaisson	Gautreaux, B	Lentini
Cheek	Gautreaux, N	Nevers
Duplessis	Holden	Schedler
Dupre	Hollis	Theunissen
Ellington	Jackson	Ullo
Total—21		

**NAYS**

Amedee	Hainkel	McPherson
Boasso	Irons	Michot
Cravins	Malone	Mount
Dardenne	Marionneaux	Smith
Total—12		

**ABSENT**

Mr. President	Barham	Heitmeier
Adley	Cain	Romero
Total—6		

The Chair declared the amendments were adopted.

On motion of Senator Boissiere, the amended bill was read by title and returned to the Calendar, subject to call.

**HOUSE BILL NO. 726—**

BY REPRESENTATIVE WALKER

AN ACT

To enact R.S. 40:2006(A)(2)(n), (o), and (p) and (B)(2)(f),(g), and (h), relative to the powers of the Department of Health and Hospitals; to provide for the ability to assess fees for psychiatric residential treatment facilities, children's respite care centers, and other licensed DHH facilities; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot



Barham	Hainkel	Mount
Boasso	Holden	Nevers
Boissiere	Hollis	Romero
Chaisson	Irons	Schedler
Cheek	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo
Dupre	Lentini	
Ellington	Malone	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Cravins	Heitmeier
Cain	Fields	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 742—**

BY REPRESENTATIVES CAZAYOUX AND DURAND

AN ACT

To amend and reenact R.S. 46:114.3(B), (C), and (D), relative to regional fraud detection units; to provide for subpoenas and subpoenas duces tecum; to include businesses and legal entities; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Amedee	Gautreaux, B	Marionneaux
Bajoie	Gautreaux, N	McPherson
Barham	Hainkel	Michot
Boasso	Heitmeier	Mount
Boissiere	Holden	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Schedler
Dardenne	Jackson	Smith
Duplessis	Jones	Theunissen
Dupre	Kostelka	Ullo
Ellington	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Cravins
Cain	Fields
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 744—**

BY REPRESENTATIVES LANCASTER, BROOME, HAMMETT, AND SALTER

AN ACT

To enact R.S. 44:22, relative to public records; to exempt certain records in the custody of the Department of Economic Development pertaining to negotiations relative to economic development activities from the laws relative to public records until negotiations are concluded; to provide for certain determinations by the secretary of the Department of Economic Development; to provide for notice; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

**HOUSE BILL NO. 857—**

BY REPRESENTATIVE WALKER

AN ACT

To amend and reenact R.S. 37:3447(A)(5), relative to vocational rehabilitation counselors; to provide for licensure requirements; and to provide for related matters.

**Floor Amendments Sent Up**

Senator N. Gautreaux sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator N. Gautreaux to Reengrossed House Bill No. 857 by Representative Walker

**AMENDMENT NO. 1**

On page 1, line 19, change "2004" to "2008"

On motion of Senator N. Gautreaux, the amendments were adopted.

The bill was read by title. Senator Dardenne moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith

Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Cain

Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Mr. President in the Chair

#### HOUSE BILL NO. 897—

BY REPRESENTATIVES PINAC AND WALSWORTH

AN ACT

To amend and reenact R.S. 51:911.22(1) and (10)(introductory paragraph), 51:911.24(C), and 911.26(I), and to enact R.S. 51:912.22(9), relative to manufactured housing; to provide for revisions to the Uniform Standards Code for Manufactured Housing; to provide for certain requirements for obtaining a developer's license; to provide for independence of the administrative agent appointed by the governor; to provide for certain marriage line requirements on multisectional manufactured homes; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Cain

Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

#### HOUSE BILL NO. 911—

BY REPRESENTATIVES LANCASTER, FRITH, MARCHAND, MURRAY, PINAC, T. POWELL, RITCHIE, STRAIN, TRAHAN, TUCKER, AND WHITE

AN ACT

To amend and reenact Chapter 7 of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:551 through 570.6, relative to foreign banks; to provide for functions and powers of such banks; to provide for certain prohibited activities; to provide for certain additional powers and functions of foreign banks in Louisiana; and to provide for related matters.

The bill was read by title. Senator Duplessis moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Cain

Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Duplessis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

#### HOUSE BILL NO. 1053—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:39(D), relative to domestic insurers; to provide for securities; to provide for brokerage accounts; and to provide for related matters.

The bill was read by title. Senator Irons moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	

Total—38

**NAYS**

Total—0

**ABSENT**

Cain  
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Irons moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1070—**

BY REPRESENTATIVE PINAC AND SENATORS HOLLIS AND MICHOT

**AN ACT**

To amend and reenact R.S. 37:3173(A)(3) and 3182 and to enact R.S. 37:3186, relative to interior designers; to provide for terms of office of the members of the board; to provide for an increase in fees; to prohibit certain acts; to provide penalties; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Heitmeier	Nevers
Boissiere	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo

Duplessis  
Dupre  
Total—37

Kostelka  
Lentini

**NAYS**

Hainkel  
Total—1

**ABSENT**

Cain  
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1143—**

BY REPRESENTATIVE PINAC

**AN ACT**

To amend and reenact R.S. 9:3515(A)(1)(a), relative to consumer loans; to provide for exemptions from prohibited acts at the locations where consumer loans are made; and to provide for related matters.

The bill was read by title. Senator Duplessis moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	

Total—38

**NAYS**

Total—0

**ABSENT**

Cain  
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Duplessis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1145—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3515(A)(1)(a), relative to consumer loans; to provide for exemptions from prohibited acts at the locations where consumer loans are made; and to provide for related matters.

The bill was read by title. Senator Duplessis moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

**NAYS**

Total—0

**ABSENT**

Cain  
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Duplessis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1209—**

BY REPRESENTATIVE SHEPHERD

AN ACT

To amend and reenact R.S. 32:1254(N)(3)(f), relative to motor vehicle sales; to provide relative to spot delivery sales; to provide for immediate refund of prospective purchaser's deposit; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lentini
Adley	Fields	Malone

Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

**NAYS**

Total—0

**ABSENT**

Cain  
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1284—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 32:1253(A)(introductory paragraph) and (2), relative to the Louisiana Motor Vehicle Commission; to correct reference to the number of board members; to delete special provision for broker member; to require one member to be primarily engaged in the business of lease or rental; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

**NAYS**

Total—0

**ABSENT**

Cain

Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

#### HOUSE BILL NO. 1361—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 22:3053(A)(2), to enact R.S. 22:3053.1, and to repeal R.S. 22:3059(A)(1), (2), and (3) and (C) and 3064, relative to the sale of insurance products; to provide for financial institutions; to provide for statements; to provide for marketing; to provide for records; and to provide for related matters.

The bill was read by title. Senator Hainkel moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

##### NAYS

Total—0

##### ABSENT

Cain

Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Hainkel moved to reconsider the vote by which the bill was passed and laid the motion on the table.

#### HOUSE BILL NO. 1408—

BY REPRESENTATIVES DANIEL, KENNARD, BRUCE, CROWE, DOERGE, FRITH, MARCHAND, PINAC, T. POWELL, RITCHIE, GARY SMITH, TRAHAN, WALSWORTH, AND WHITE

AN ACT

To amend and reenact R.S. 4:420, 421(A)(2) through (9), 422, 423(B), (G)(3), (H), and (I), 424, 426, 432, and 433 and to enact R.S. 4:421(A)(10) through (14), 422.1(A)(5), 423(G)(4), 425(D), 427(A)(6) and (7) and (D), and 430(C), relative to athlete agents; to provide for legislative purpose; to provide for definitions; to provide for registration; to provide for denial or revocation of registration; to provide for notice to head coach

instead of president of institution; to provide for notice to athlete; to provide for contract relationship between athlete and institution or school; to provide for duties and obligations; to provide relative to contact with athletes; to provide for prohibited activities; to provide for recordkeeping; to provide for attorney athlete agents; to provide remedies and penalties; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

##### NAYS

Total—0

##### ABSENT

Cain

Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

#### HOUSE BILL NO. 1420—

BY REPRESENTATIVES PINAC, BRUCE, DOERGE, FLAVIN, FRITH, JACKSON, MARCHAND, T. POWELL, RITCHIE, WHITE, AND WINSTON

AN ACT

To enact R.S. 37:2156(C)(3), relative to contractors; to require the license renewal form to include a donation portion; to provide for collection and remittance of such donations; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. President	Ellington	Lentini
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Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	

Total—38

NAYS

Total—0

ABSENT

Cain

Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1450—**

BY REPRESENTATIVE MORRELL  
AN ACT

To amend and reenact R.S. 18:402(B), (E)(1)(b) and (2)(b), and (F)(2), 467(2), 469(D)(2), and 1272(A), relative to election dates; to provide for the dates of the congressional elections and other elections held at the same time as the congressional elections; to provide for qualifying periods for such elections; and to provide for related matters.

On motion of Senator Boissiere, the bill was read by title and returned to the Calendar, subject to call.

**HOUSE BILL NO. 1487—**

BY REPRESENTATIVE MCDONALD  
AN ACT

To enact R.S. 40:41(J), relative to death certificates; to require the state registrar of vital records to issue a copy of a death certificate to the Office of Student Financial Assistance, and the office of the attorney general, under certain circumstances; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers

Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Ullo
Duplessis	Jones	
Dupre	Kostelka	

Total—37

NAYS

Total—0

ABSENT

Cain

Total—2

Theunissen

The Chair declared the bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1493—**

BY REPRESENTATIVE SMILEY  
AN ACT

To amend and reenact R.S. 32:771(4) and 773.2(B) and to enact R.S. 32:773.2(G) and (H), relative to used motor vehicles and marine product dealers; to define "boat package"; to provide relative to area of responsibility; to provide for penalties; and to provide for related matters.

On motion of Senator Amedee, the bill was read by title and returned to the Calendar, subject to call.

**HOUSE BILL NO. 1574—**

BY REPRESENTATIVE FLAVIN  
AN ACT

To enact R.S. 22:635.4, relative to homeowners insurance; to provide for conversion of policy forms; to provide for approval by the commissioner; and to provide for related matters.

The bill was read by title. Senator Hainkel moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	

Total—38

NAYS

Total—0

ABSENT

Cain

Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Hainkel moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1692—**

BY REPRESENTATIVE DOWNS

AN ACT

To amend and reenact R.S. 22:613(C)(2) and to enact R.S. 22:613(C)(4) and (5), relative to insurable interest; to provide for the insurable interest of an employer in the life of an employee; and to provide for related matters.

On motion of Senator Hollis, the bill was read by title and returned to the Calendar, subject to call.

**HOUSE BILL NO. 6—**

BY REPRESENTATIVE FAUCHEUX

AN ACT

To enact R.S. 17:85.5, relative to naming a gymnasium; to authorize the parish school board in certain parishes to name a gymnasium in honor of a former school board member; to provide limitations; and to provide for related matters.

The bill was read by title. Senator Amedee moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Heitmeier	Nevers
Boissiere	Holden	Romero
Chaisson	Irons	Schedler
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Kostelka	Ullo
Duplessis	Lentini	
Total—35		

**NAYS**

Total—0

ABSENT

Cain

Fields

Total—4

Hainkel  
Hollis

The Chair declared the bill was passed. The title was read and adopted. Senator Amedee moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 32—**

BY REPRESENTATIVES MARTINY, BALDONE, AND BRUNEAU

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(xii), to provide relative to Tuition Opportunity Program for Students high school core curriculum requirements for certain awards; to provide for applicability; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Heitmeier	Nevers
Boissiere	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—37		

**NAYS**

Total—0

ABSENT

Cain

Total—2

Hainkel

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 50—**

BY REPRESENTATIVE CROWE

AN ACT

To provide relative to speed limits; to require the Department of Transportation and Development to make a final decision regarding the maximum speed limit along certain interstate highways; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	

Total—38

**NAYS**

Total—0

**ABSENT**

Cain

Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 63—**

BY REPRESENTATIVES ERDEY AND SMILEY  
AN ACT

To enact R.S. 33:2711.20, relative to municipal sales and use taxes; to authorize the governing authority of the town of Springfield to levy and collect an additional sales and use tax; to provide for voter approval; and to provide for related matters.

The bill was read by title. Senator Amedee moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	

Dupre

Total—37

Kostelka

**NAYS**

Total—0

**ABSENT**

Cain

Total—2

Romero

The Chair declared the bill was passed. The title was read and adopted. Senator Amedee moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 102—**

BY REPRESENTATIVE MONTGOMERY  
AN ACT

To enact R.S. 33:1448.1, relative to the payment of group insurance premiums for retired sheriffs and deputy sheriffs in Bossier Parish; to create a permanent fund; to require the depositing of certain monies into the fund; to provide for investment of monies in the fund; to authorize the withdrawal of earnings; to provide for limitations on appropriations from the fund; to provide for audits of the fund; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

**HOUSE BILL NO. 106—**

BY REPRESENTATIVE FARRAR  
AN ACT

To amend and reenact R.S. 34:851.31(A)(1) and to enact R.S. 34:851.27(C), relative to speed limits on waterways; to establish "no-wake" zones around public boat launches and public and commercial docking facilities; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo

Total—36

**NAYS**

Total—0



## ABSENT

Cain Hainkel Romero  
Total—3

The Chair declared the bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 117—**

BY REPRESENTATIVE JACK SMITH  
AN ACT

To amend and reenact R.S. 56:8(28.1) and 320(B)(3), relative to crab traps; to provide that only crab traps located south of the northern bank of the Intracoastal Waterway must be marked with floats; and to provide for related matters.

The bill was read by title. Senator B. Gautreaux moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

## YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

## NAYS

Total—0

## ABSENT

Cain Hainkel Romero  
Total—3

The Chair declared the bill was passed. The title was read and adopted. Senator B. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 175—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To enact R.S. 33:2711.20, relative to the town of Lake Providence; to authorize the governing authority of the town to levy and collect an additional sales and use tax; to provide for voter approval; and to provide for related matters.

The bill was read by title. Senator Jones moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

## YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo

Duplessis	Jones
Dupre	Kostelka
Total—37	

## NAYS

Total—0

## ABSENT

Cain Romero  
Total—2

The Chair declared the bill was passed. The title was read and adopted. Senator Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Rules Suspended**

Senator Barham asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

**Messages from the Governor**

The following messages from the Governor were received and read as follows:

**STATE OF LOUISIANA**  
Office of the Governor

June 8, 2004

The Honorable President and Members of the Senate

Ladies and Gentlemen:

I have appointed the following persons on the attached list to the offices indicated.

In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, I do hereby present these names for your review.

Sincerely,

**Kathleen Babineaux Blanco**  
Governor

**Governor, Office of the**

John P. Ducrest - Commissioner of the Office of Financial  
Institutions

**Messages from the House**

The following Messages from the House were received and read  
as follows:

**Message from the House****DISAGREEMENT TO HOUSE BILL**

June 8, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of  
Representatives has refused to concur in the proposed Senate  
Amendment(s) to House Bill No. 30 by Representative Bruneau, and  
ask the President to appoint on the part of the Senate a committee to  
confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****HOUSE CONFEREES APPOINTED**

June 8, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of  
the House of Representatives has appointed the following members,  
on the part of the House of Representatives, to confer, with a like  
committee from the Senate, on the disagreement to House Bill No. 30  
by Representative Bruneau:

Representatives Bruneau, Ansardi and Townsend.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****DISAGREEMENT TO HOUSE BILL**

June 8, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of  
Representatives has refused to concur in the proposed Senate  
Amendment(s) to House Bill No. 356 by Representative Martiny,

and ask the President to appoint on the part of the Senate a  
committee to confer with a like committee from the House on the  
disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Privilege Report of the  
Legislative Bureau**

June 8, 2004

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following  
report:

The following bills are approved as to construction and  
duplication.

**HOUSE BILL NO. 1659—**

BY REPRESENTATIVE K. CARTER  
AN ACT

To enact R.S. 17:10.6, relative to school and district accountability;  
to provide for the status of a city, parish, or other local public  
school system which is academically in crisis; to provide for  
notice of the status; to provide for the powers of the school  
board of such a system; to provide for the powers of the school  
superintendent of such a system; to provide for definitions and  
audit and accounting requirements; and to provide for related  
matters.

Reported without amendments.

Respectfully submitted,  
ARTHUR J. "ART" LENTINI  
Chairman

**Adoption of Legislative Bureau Report**

On motion of Senator Lentini, the Bills and Joint Resolutions  
were read by title and passed to a third reading.

**Motion to Make Special Order**

Senator Hainkel asked for and obtained a suspension of the rules  
for the purpose of making House Bill No. 1659, which was just  
advanced to a third reading and final passage, Special Order of the  
Day No. 1 on Wednesday, June 9, 2004 immediately following the  
Morning Hour, and that House Bill No. 61 which is Special Order of  
the Day No. 1 on Wednesday, June 9, 2004 be made Special Order  
of the Day No. 2.

**Introduction of Resolutions,  
Senate and Concurrent**

Senator Bajoie asked for and obtained a suspension of the rules  
for the purpose of introducing and reading the following Resolutions,

Senate and Concurrent, a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 116—**

BY SENATOR MCPHERSON

**A RESOLUTION**

To urge and request the Department of Wildlife and Fisheries to review law enforcement activities on state refuges and wildlife management areas and the assignment of law enforcement powers to departmental employees.

On motion of Senator McPherson, the resolution was read by title and adopted.

**SENATE CONCURRENT RESOLUTION NO. 152—**

BY SENATORS DUPRE, BOASSO, B. GAUTREAUX, N. GAUTREAUX, MOUNT, ROMERO, THEUNISSEN AND ULLO

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to enact legislation eliminating the "new shipper" bonding privilege.

The resolution was read by title. Senator Dupre moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Jones
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Chaisson	Heitmeier	Schedler
Cheek	Holden	Theunissen
Cravins	Hollis	Ullo
Dardenne	Irons	
Duplessis	Jackson	
Total—34		

**NAYS**

Total—0

**ABSENT**

Cain	Lentini	Smith
Kostelka	Romero	
Total—5		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

June 8, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 147—**

BY SENATOR N. GAUTREAUX

**A CONCURRENT RESOLUTION**

To commend and congratulate Bonaventure Fire Company of Rayne, Louisiana, on its initiation of construction of a state-of-the-art manufacturing facility and its many contributions to the Acadia Parish area.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 150—**

BY SENATORS N. GAUTREAUX, HINES, AND HAINKEL

**A CONCURRENT RESOLUTION**

To extend sincere and heartfelt condolences upon the death of President Ronald Reagan and to express enduring appreciation for his singular contributions and achievements.

Reported without amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS**

June 8, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 225—**

BY REPRESENTATIVE FARRAR

**AN ACT**

To enact R.S. 11:769, relative to the employee contributions of a member of the Teachers' Retirement System of Louisiana; to guarantee payment of a member's accumulated employee contributions to the member, as survivor benefits, or to the member's estate; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 229—**BY REPRESENTATIVE QUEZAIRE (BY REQUEST)  
AN ACT

To repeal R.S. 17:81(O), relative to certain local school board expenditures; to repeal the requirement that expenditures by city, parish, and other local public school boards to reimburse school board members for certain travel and related expenses be in accordance with travel regulations prescribed by the division of administration for state executive branch employees.

**HOUSE BILL NO. 554—**BY REPRESENTATIVE PINAC  
AN ACT

To enact R.S. 9:3527(C)(2), relative to consumer credit delinquency charges; to provide for determination of delinquency; to prohibit the collection of delinquency charges in certain instances; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 671—**BY REPRESENTATIVE BRUNEAU  
AN ACT

To enact R.S. 49:259, relative to state funds; to create the Department of Justice Legal Support Fund as a special fund in the state treasury; to provide for the deposit, uses, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 727—**BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 6:103(I) and R.S. 9:3518.1(E) and to enact R.S. 6:103(B)(10) and (J), relative to the Office of Financial Institutions; to provide for the use of confidential information; to provide for governmental immunity of the office and its agents and employees under certain circumstances; and to provide for related matters.

**HOUSE BILL NO. 757—**BY REPRESENTATIVE SALTER  
AN ACT

To enact R.S. 17:355, relative to special treasury funds; to provide for the re-creation of the Teacher Supplies Fund; to provide for deposit of monies into the fund; to provide for uses of monies in the fund; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 763—**BY REPRESENTATIVE SALTER  
AN ACT

To amend and reenact Section 2 of Act No. 1341 and Section 3 of Act No. 1342 both of the 1999 Regular Session as amended and reenacted by Act No. 338 of the 2001 Regular Session; to specify time periods to be used for the calculation of cost savings to city, parish, and other local public school boards, state schools for the deaf, blind, spastic, and cerebral palsied, and in Special School District Number One resulting from the elimination of statutory provisions relative to extended sick leave and rest and recuperation sabbatical leaves for certain school employees; to require that such saved monies be included in the minimum salary schedules used by the school system or state school to compensate teachers; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 866—**BY REPRESENTATIVE QUEZAIRE  
AN ACT

To amend and reenact R.S. 32:306, relative to equipment on motor vehicles; to provide relative to stop lamps and turn signals on motor vehicles; and to provide for related matters.

**HOUSE BILL NO. 877—**BY REPRESENTATIVE DORSEY  
AN ACT

To enact R.S. 46:1844(K)(2)(g), relative to rights of crime victims; to provide with respect to the victim impact statement; to provide with respect to its content; and to provide for related matters.

**HOUSE BILL NO. 1275—**BY REPRESENTATIVE FUTRELL  
AN ACT

To enact R.S. 42:808(A)(8), relative to participation in life, health, or other insurance programs sponsored by the Office of Group Benefits; to expand the definition of eligible employees; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 1277—**BY REPRESENTATIVE DANIEL  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2004-2005 to be used to pay the judgment in the suit entitled "Gordean Adella Wingfield, individually and as guardian and conservator of the estate of her major son, Kenny Clark v. State of Louisiana, through the Department of Transportation and Development, Wilson Trailer Company, Inc. consolidated with Jackie Murray, Sharon Roy Royner, Ivy J. Wills as legal guardian and attorney for Joseph Edward Wingfield, and Joseph Edward Wingfield individually v. State of Louisiana, through the Department of Transportation and Development, Wilson Trailer Company, Inc."; to provide for interest; to provide for costs; and to provide for related matters.

**HOUSE BILL NO. 1161—**BY REPRESENTATIVES TUCKER AND DANIEL  
AN ACT

To amend and reenact Subpart F of Part IV of Chapter 1 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, comprised of R.S. 11:502 through 502.6, relative to the Louisiana State Employees' Retirement System; to create a defined contribution plan within the system; to provide relative to contributions and benefits; to remove provisions relative to the optional retirement plan and to provide for the members of such plan; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 1331—**BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 37:575(A)(1), 589, 593, 599(A)(2)(f)(iv) and (A)(7) and to enact R.S. 37:587, 591(D), and 599(A)(9), relative to cosmetology; to provide relative to the sale of immovable property; to provide for certification of records; to require licensed managers; to provide exceptions for services outside the licensed facility; to provide regarding booth rental permits; to provide for fees; and to provide for related matters.

**HOUSE BILL NO. 1551—**

BY REPRESENTATIVES HEATON, DARTEZ, DORSEY, FARRAR,  
RICHMOND, AND SMILEY

AN ACT

To amend and reenact R.S. 46:2140, relative to family violence; to provide for guidelines for law enforcement officers to use in determining the predominant aggressor for arrest purposes; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions**

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

**HOUSE BILL NO. 225—**

BY REPRESENTATIVE FARRAR

AN ACT

To enact R.S. 11:769, relative to the employee contributions of a member of the Teachers' Retirement System of Louisiana; to guarantee payment of a member's accumulated employee contributions to the member, as survivor benefits, or to the member's estate; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Retirement.

**HOUSE BILL NO. 229—**

BY REPRESENTATIVE QUEZAIRE (BY REQUEST)

AN ACT

To repeal R.S. 17:81(O), relative to certain local school board expenditures; to repeal the requirement that expenditures by city, parish, and other local public school boards to reimburse school board members for certain travel and related expenses be in accordance with travel regulations prescribed by the division of administration for state executive branch employees.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Education.

**HOUSE BILL NO. 554—**

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 9:3527(C)(2), relative to consumer credit delinquency charges; to provide for determination of delinquency; to prohibit the collection of delinquency charges in certain instances; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**HOUSE BILL NO. 671—**

BY REPRESENTATIVE BRUNEAU

AN ACT

To enact R.S. 49:259, relative to state funds; to create the Department of Justice Legal Support Fund as a special fund in the state treasury; to provide for the deposit, uses, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

**HOUSE BILL NO. 727—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:103(I) and R.S. 9:3518.1(E) and to enact R.S. 6:103(B)(10) and (J), relative to the Office of Financial Institutions; to provide for the use of confidential information; to provide for governmental immunity of the office and its agents and employees under certain circumstances; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

**HOUSE BILL NO. 757—**

BY REPRESENTATIVE SALTER

AN ACT

To enact R.S. 17:355, relative to special treasury funds; to provide for the re-creation of the Teacher Supplies Fund; to provide for deposit of monies into the fund; to provide for uses of monies in the fund; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Education.

**HOUSE BILL NO. 763—**

BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact Section 2 of Act No. 1341 and Section 3 of Act No. 1342 both of the 1999 Regular Session as amended and reenacted by Act No. 338 of the 2001 Regular Session; to specify time periods to be used for the calculation of cost savings to city, parish, and other local public school boards, state schools for the deaf, blind, spastic, and cerebral palsied, and in Special School District Number One resulting from the elimination of statutory provisions relative to extended sick leave and rest and recuperation sabbatical leaves for certain school employees; to require that such saved monies be included in the minimum salary schedules used by the school system or state school to compensate teachers; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Education.

**HOUSE BILL NO. 866—**

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 32:306, relative to equipment on motor vehicles; to provide relative to stop lamps and turn signals on motor vehicles; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 877—**

BY REPRESENTATIVE DORSEY  
AN ACT

To enact R.S. 46:1844(K)(2)(g), relative to rights of crime victims; to provide with respect to the victim impact statement; to provide with respect to its content; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

**HOUSE BILL NO. 1161—**

BY REPRESENTATIVES TUCKER AND DANIEL  
AN ACT

To amend and reenact Subpart F of Part IV of Chapter 1 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, comprised of R.S. 11:502 through 502.6, relative to the Louisiana State Employees' Retirement System; to create a defined contribution plan within the system; to provide relative to contributions and benefits; to remove provisions relative to the optional retirement plan and to provide for the members of such plan; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Retirement.

**HOUSE BILL NO. 1275—**

BY REPRESENTATIVE FUTRELL  
AN ACT

To enact R.S. 42:808(A)(8), relative to participation in life, health, or other insurance programs sponsored by the Office of Group Benefits; to expand the definition of eligible employees; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

**HOUSE BILL NO. 1277—**

BY REPRESENTATIVE DANIEL  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2004-2005 to be used to pay the judgment in the suit entitled "Gordean Adella Wingfield, individually and as guardian and conservator of the estate of her major son, Kenny Clark v. State of Louisiana, through the Department of Transportation and Development, Wilson Trailer Company, Inc. consolidated with Jackie Murray, Sharon Roy Royner, Ivy J. Wills as legal guardian and attorney for Joseph Edward Wingfield, and Joseph Edward Wingfield individually v. State of Louisiana, through the Department of Transportation and Development, Wilson Trailer Company, Inc."; to provide for interest; to provide for costs; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

**HOUSE BILL NO. 1331—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 37:575(A)(1), 589, 593, 599(A)(2)(f)(iv) and (A)(7) and to enact R.S. 37:587, 591(D), and 599(A)(9), relative to cosmetology; to provide relative to the sale of immovable property; to provide for certification of records; to require licensed managers; to provide exceptions for services outside the licensed facility; to provide regarding booth rental permits; to provide for fees; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**HOUSE BILL NO. 1551—**

BY REPRESENTATIVES HEATON, DARTEZ, DORSEY, FARRAR, RICHMOND, AND SMILEY  
AN ACT

To amend and reenact R.S. 46:2140, relative to family violence; to provide for guidelines for law enforcement officers to use in determining the predominant aggressor for arrest purposes; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

**Rules Suspended**

Senator Schedler asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Bills and Joint Resolutions on  
Third Reading and Final Passage,  
Subject to Call**

The following Senate Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

**Called from the Calendar**

Senator Schedler asked that Senate Bill No. 139 be called from the Calendar at this time.

**SENATE BILL NO. 139—**

BY SENATOR SCHEDLER  
AN ACT

To amend and reenact R.S. 15:574.2(B)(1), relative to the vote required to grant parole; to provide for a vote of the full board in certain cases; and to provide for related matters.

On motion of Senator Schedler, the bill was read by title and withdrawn from the files of the Senate.

**Rules Suspended**

Senator Schedler asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 626 from the Committee on Finance.

**SENATE BILL NO. 626—**  
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 11:1386, relative to the judges' noncontributory plan; to provide with respect to cost-of-living adjustments for judges and widows of such judges who did not opt to become members of the Louisiana State Employees' Retirement System; to provide the procedures for determining the amount of such adjustments; to provide an effective date; and to provide for related matters.

On motion of Senator Schedler, the bill was read by title and withdrawn from the files of the Senate.

**Rules Suspended**

Senator Schedler asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 677 from the Committee on Commerce, Consumer Protection and International Affairs.

**SENATE BILL NO. 677—**  
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 51:1423, relative to the Unfair Trade Practices and Consumer Protection Act; to prohibit any business from disclosing customer information; to provide for exceptions; to provide for violations; and to provide for related matters.

On motion of Senator Schedler, the bill was read by title and withdrawn from the files of the Senate.

**Rules Suspended**

Senator Schedler asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 814 from the Committee on Health and Welfare.

**SENATE BILL NO. 814—**  
BY SENATOR SCHEDLER

AN ACT

To amend and reenact Part XIII of Chapter 4 of Title 40 of Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1058.1 through 1058.10, relative to substance abuse/addiction; and to provide for related matters.

On motion of Senator Schedler, the bill was read by title and withdrawn from the files of the Senate.

**Message from the House**

**SIGNED HOUSE BILLS AND  
JOINT RESOLUTIONS**

June 8, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 40—**  
BY REPRESENTATIVE BRUNEAU  
AN ACT

To amend and reenact Code of Civil Procedure Article 971(A)(3) and (B), relative to the special motion to strike; to provide for admissibility of the court's determination in evidence; to provide for attorney fees and costs; and to provide for related matters.

**HOUSE BILL NO. 103—**  
BY REPRESENTATIVE TOOMY  
AN ACT

To amend and reenact R.S. 13:782(A)(1)(introductory paragraph) and (e) and to enact R.S. 13:782(A)(1)(f), relative to annual compensation of clerks of court; to provide for alternative population data for establishing the maximum compensation rate; to provide the maximum compensation rates in certain parishes; and to provide for related matters.

**HOUSE BILL NO. 532—**  
BY REPRESENTATIVES JOHNS, BOWLER, AND WALKER  
AN ACT

To amend and reenact R.S. 9:315.16, relative to child support; to provide for the review of the child support guidelines; to provide for the membership of the committee; and to provide for related matters.

**HOUSE BILL NO. 736—**  
BY REPRESENTATIVE LAFLEUR AND SENATOR DARDENNE  
AN ACT

To amend and reenact R.S. 56:31 and 31.1, relative to class one violations; to provide for penalties for class one violations of the hunting and fishing laws; and to provide for related matters.

**HOUSE BILL NO. 762—**  
BY REPRESENTATIVES WINSTON AND DURAND  
AN ACT

To amend and reenact Children's Code Article 685(B), relative to children in need of care; to provide for compliance with federal provisions in cost of care and treatment matters; and to provide for related matters.

**HOUSE BILL NO. 1290 (Duplicate of Senate Bill No. 607)—**  
BY REPRESENTATIVE TOWNSEND AND SENATOR CHAISSON  
AN ACT

To enact R.S. 37:930(G), relative to certified registered nurse anesthetists; to provide for administering anesthetic; and to provide for related matters.

**HOUSE BILL NO. 1295—**  
BY REPRESENTATIVE ALARIO  
AN ACT

To amend and reenact R.S. 42:1001, 1002(2), (4), and (5), 1003 through 1005, and 1008 through 1011, to enact R.S. 42:1002(12), (13), and (14), and to repeal R.S. 42:1006 and 1007, relative to the federal-state agreement for old age and survivors benefits for state employees; to provide for the inclusion of disability and health insurance benefits in such agreement; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

**Message from the House**

**SIGNED HOUSE CONCURRENT RESOLUTIONS**

June 8, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 268—**

BY REPRESENTATIVES LAMBERT, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, GEYMAN, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, LABRUZZO, LAFLEUR, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT

**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of United States Army Specialist James Peter Lambert.

**HOUSE CONCURRENT RESOLUTION NO. 271—**

BY REPRESENTATIVE HUTTER

**A CONCURRENT RESOLUTION**

To urge and request the Norfolk Southern Railroad to abide by and honor the new curfews imposed by the United States Coast Guard for the St. Claude Avenue, Florida Avenue, and Judge Seeber or Claiborne Avenue bridges in St. Bernard Parish.

**HOUSE CONCURRENT RESOLUTION NO. 272—**

BY REPRESENTATIVES WINSTON, BAUDOIN, BOWLER, BROOME, BRUCE, K. CARTER, DARTEZ, DOERGE, DORSEY, DURAND, GRAY, HUTTER, JEFFERSON, KATZ, MARCHAND, JANE SMITH, ST. GERMAIN, AND WALKER AND SENATORS HANKEL, BAOJIE, CHEEK, DUPLESSIS, IRONS, JACKSON, AND MOUNT

**A CONCURRENT RESOLUTION**

To commend Pat Mackey upon her retirement as Chief Executive Officer of the Girl Scout Council of Southeast Louisiana after more than twenty-seven years of dedicated service.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

**Privilege Report of the Committee on  
Senate and Governmental Affairs**

**ENROLLMENTS**

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 8, 2004

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolution has been properly enrolled:

**SENATE CONCURRENT RESOLUTION NO. 143—**

BY SENATOR ADLEY

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to install a traffic signal at the intersection of Louisiana Highways 160 and 371 in Cotton Valley, Louisiana.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

**Privilege Report of the Committee on  
Senate and Governmental Affairs**

**ENROLLMENTS**

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 8, 2004

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bills have been properly enrolled:



**SENATE BILL NO. 164—**

BY SENATOR N. GAUTREAUX AND REPRESENTATIVE E. GUILLORY AND SCHNEIDER

AN ACT

To amend and reenact R.S. 14:91.1(A)(2) and to enact R.S. 15:538(D) and 550, relative to sexually violent predators and sexual offenders; to provide that sexually violent predators and sexual offenders remain at least one thousand feet away from certain locations; to provide for certain probation conditions; to provide with respect to a pilot program for certain sex offenders and violent offenders; and to provide for related matters.

**SENATE BILL NO. 186—**

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 9:4502 (A)(1), relative to privileges on movables; to provide relative to the privilege for making or repairing movable goods; to provide relative to marine vessels, trailers, and equipment; to provide for remedy for debt due on such items; and to provide for related matters.

**SENATE BILL NO. 199—**

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 52:5, relative to jurisdiction over land sited in the state but under custody of the United States; to remove the sunset provision for entering into written agreements to cede concurrent jurisdiction to the United States; and to provide for related matters.

**SENATE BILL NO. 371—**

BY SENATOR LENTINI AND REPRESENTATIVE RICHMOND

AN ACT

To amend and reenact R.S. 40:1299.43(A)(1), (2), (3), (4), and (5), (B)(1), and (C), relative to medical malpractice; to provide relative to future medical benefits; and to provide for related matters.

**SENATE BILL NO. 381 (Duplicate of House Bill No. 792)—**

BY SENATOR LENTINI AND REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 40:1299.41(A)(16), relative to medical malpractice; to provide relative to the Patient's Compensation Fund; to include students being trained as paramedics under the coverage of such fund; to provide for the definition of "ambulance service"; and to provide for related matters.

**SENATE BILL NO. 382—**

BY SENATOR LENTINI

AN ACT

To enact R.S. 40:1299.39.2 and 1299.49, relative to medical review panels; to provide relative to state and private medical claims; to provide for such claims for the same patient and the same injury; to limit review to one panel in such cases; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 392—**

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 40:2116(B)(1) and (D) and to enact R.S. 40:2116(H), relative to the facility need review process; to provide with respect to the facility need review process; to provide with respect to beds in adult residential centers; and to provide for related matters.

**SENATE BILL NO. 433—**

BY SENATOR THEUNISSEN AND REPRESENTATIVE PIERRE

AN ACT

To enact R.S. 36:610(J) and Subpart A-1 of Part VII of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, comprised of R.S. 56:360.1 through 360.3, relative to non-indigenous aquatic species; to create the Louisiana Aquatic Invasive Species Council and the Louisiana Aquatic Invasive Species Advisory Task Force; to provide for their powers, duties, functions, and responsibilities; and to provide for related matters.

**SENATE BILL NO. 437—**

BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 13:4291(A), (B)(1), and (C), relative to execution; to provide with respect to child support payments; to provide for judgments for such payments; to provide for the initiation of prescription on certain child support judgements; and to provide for related matters.

**SENATE BILL NO. 484—**

BY SENATORS HINES, N. GAUTREAUX AND SCHEDLER

AN ACT

To enact Chapter 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2801 through 2803, relative to the Louisiana Interagency Task Force on the Future of Family Medicine; to provide for creation of the task force; to provide for definitions; to provide for the composition of the task force; to provide for duties and powers of the task force; to provide for reporting deadlines and a termination date for the task force; and to provide for related matters.

**SENATE BILL NO. 488—**

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 23:1021(6) and to enact R.S. 23:1021(13), relative to workers' compensation; to provide with respect to definitions; to provide for the definition of "owner operators" who provide transportation services; to exempt "owner operators" from being classified as employees; and to provide for related matters.

**SENATE BILL NO. 550—**

BY SENATOR IRONS AND REPRESENTATIVE RICHMOND

AN ACT

To amend and reenact R.S. 3:2364(B)(1) and (3) and to enact R.S. 3:2364(D)(6) and (7), relative to the Louisiana Animal Welfare Commission; to provide for the funding, membership, and duties of the commission; and to provide for related matters.

**SENATE BILL NO. 735—**

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 40:2117.1(4), relative to licensure of end stage renal disease (ESRD) facilities; to exempt penal and correctional facilities from the requirements of licensure as end stage renal disease (ESRD) facilities; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 810—**

BY SENATOR FONTENOT

**AN ACT**

To enact R.S. 33:2721.14, relative to sales and use taxes; to authorize certain parishes to increase sales and use taxes; to provide for voter approval; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 2—**

BY SENATORS MCPHERSON, CAIN, B. GAUTREAUX, N. GAUTREAUX, MALONE, MICHOT, ROMERO, ELLINGTON, HOLLIS, MARIONNEAUX AND SMITH AND REPRESENTATIVES ALARIO, ARNOLD, BADON, BALDONE, BROOME, R. CARTER, CAZAYOUX, CURTIS, DARTEZ, DEWITT, DORSEY, DOVE, DOWNS, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, E. GUILLORY, M. GUILLORY, HAMMETT, HEBERT, HILL, HOPKINS, HUNTER, HUTTER, JEFFERSON, KATZ, KENNARD, KENNEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARCHAND, MCDONALD, MCVEA, MORRELL, MORRISH, MURRAY, PIERRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROMERO, SALTER, SCALISE, SHEPHERD, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAINE, STRAIN, THOMPSON, TOWNSEND, TRAHAN, WALKER, WALSWORTH, WHITE, WOOTON AND WRIGHT

**A JOINT RESOLUTION**

Proposing to add Article I, Section 27 of the Constitution of Louisiana, relative to the declaration of rights; to preserve the freedom to hunt, fish, and trap, subject to regulation, restriction, or prohibition imposed pursuant to law; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

**SENATE BILL NO. 17—**

BY SENATOR B. GAUTREAUX

**AN ACT**

To designate Louisiana Highway 1013 located in Assumption Parish as "Reedy Road"; and to provide for related matters.

**SENATE BILL NO. 18—**

BY SENATORS MCPHERSON AND ELLINGTON AND REPRESENTATIVE FARRAR

**AN ACT**

To designate a portion of Louisiana Highway 28 East located in central Louisiana as "Korean War Veterans Memorial Highway"; and to provide for related matters.

**SENATE BILL NO. 28 (Duplicate of House Bill No. 286)—**

BY SENATOR DUPRE AND REPRESENTATIVE DOVE AND COAUTHORED BY SENATOR ROMERO AND REPRESENTATIVE BALDONE

**AN ACT**

To enact R.S. 48:229(A)(11), relative to transportation; to provide relative to priority reports on construction projects; to provide relative to factors to be considered in the order of priorities; to add as a factor the safe evacuation of population when necessitated by catastrophic events; and to provide for related matters.

**SENATE BILL NO. 35—**

BY SENATORS N. GAUTREAUX, CAIN, B. GAUTREAUX, MALONE, MCPHERSON AND MICHOT AND REPRESENTATIVE THOMPSON

**AN ACT**

To enact R.S. 56:699.7, relative to firearm and hunter education; to allow the Department of Wildlife and Fisheries to offer instruction for safely riding "four wheeler" or all-terrain vehicles in the firearm and hunter education program; and to provide for related matters.

**SENATE BILL NO. 45—**

BY SENATOR SMITH

**AN ACT**

To enact R.S. 56:409, relative to wildlife and fisheries; to authorize the Saline Lake Game and Fish Preserve Commission, and the Grant Parish Police Jury, under the supervision of the Department of Wildlife and Fisheries, to place triploid grass carp in certain lakes; and to provide for related matters.

**SENATE BILL NO. 117—**

BY SENATOR MCPHERSON

**AN ACT**

To amend and reenact R.S. 56:31.1(E) and 39, relative to wildlife violations; to provide for the use of the first two dollars of any penalty or fine imposed for violations involving fish and wildlife in the state; to create the Fish and Wildlife Violations Reward Fund as a special fund in the state treasury; to provide for appropriations from the fund and for the use of monies in the fund; to authorize the Department of Wildlife and Fisheries to execute a cooperative endeavor agreement to administer and implement a fish and wildlife reward program; and to provide for related matters.

**SENATE BILL NO. 120—**

BY SENATOR MCPHERSON

**AN ACT**

To enact R.S. 56:1847(58), (59), (60), (61), and (62), relative to state natural and scenic rivers; to include certain waters within the state natural and scenic rivers system; and to provide for related matters.

**SENATE BILL NO. 132—**

BY SENATOR HOLLIS

**AN ACT**

To amend and reenact R.S. 37:2805(B)(1)(f) and (g), and (E), and 2808 and to repeal R.S. 37:2805(G), relative to chiropractors; to provide for certain licensure requirements; to provide for reciprocity licenses; and to provide for related matters.

**SENATE BILL NO. 146—**

BY SENATOR ELLINGTON

**AN ACT**

To amend and reenact R.S. 9:2801.2, relative to partition of community property; to provide for the valuation of goodwill as an asset in the partition of community property for certain businesses; and to provide for related matters.

**SENATE BILL NO. 370—**

BY SENATOR LENTINI

**AN ACT**

To amend and reenact the introductory paragraphs of R.S. 40:1299.39.1(A)(4) and (C)(1) and the introductory paragraphs of R.S. 40:1299.47(A)(4) and (C), relative to medical review panels; to provide for the appointment of the attorney member of such panel; to authorize such appointment by the plaintiff attorney under certain circumstances; and to provide for related matters.

**SENATE BILL NO. 692—**

BY SENATORS BARHAM, CHEEK, CRAVINS, JONES, LENTINI, MARIONNEAUX, ADLEY, AMEDEE, BOASSO, BOISSIERE, CAIN, DARDENNE, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, IRONS, JACKSON, KOSTELKA, MALONE, MCPHERSON, MICHOT, MOUNT, NEVERS, ROMERO, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVES RICHMOND AND THOMPSON

**AN ACT**

To amend and reenact R.S. 14:329.6(E) and to enact Part XII of Chapter 9 of Title 23 of the Louisiana Revised Statutes of 1950 to be comprised of R.S. 23:1017.1 through 1017.6, relative to offenses affecting the public; to require employers of first responders to homeland security emergencies to maintain the employment, pay rate levels, pensions, and benefits for those first responders; and to provide for related matters.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

**Message to the Governor**

**SIGNED SENATE BILLS**

June 8, 2004

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

**SENATE BILL NO. 17—**

BY SENATOR B. GAUTREAUX

**AN ACT**

To designate Louisiana Highway 1013 located in Assumption Parish as "Reedy Road"; and to provide for related matters.

**SENATE BILL NO. 18—**

BY SENATORS MCPHERSON AND ELLINGTON AND REPRESENTATIVE FARRAR

**AN ACT**

To designate a portion of Louisiana Highway 28 East located in central Louisiana as "Korean War Veterans Memorial Highway"; and to provide for related matters.

**SENATE BILL NO. 28 (Duplicate of House Bill No. 286)—**

BY SENATOR DUPRE AND REPRESENTATIVE DOVE AND COAUTHORED BY SENATOR ROMERO AND REPRESENTATIVE BALDONE

**AN ACT**

To enact R.S. 48:229(A)(11), relative to transportation; to provide relative to priority reports on construction projects; to provide relative to factors to be considered in the order of priorities; to add as a factor the safe evacuation of population when necessitated by catastrophic events; and to provide for related matters.

**SENATE BILL NO. 35—**

BY SENATORS N. GAUTREAUX, CAIN, B. GAUTREAUX, MALONE, MCPHERSON AND MICHOT AND REPRESENTATIVE THOMPSON

**AN ACT**

To enact R.S. 56:699.7, relative to firearm and hunter education; to allow the Department of Wildlife and Fisheries to offer instruction for safely riding "four wheeler" or all-terrain vehicles in the firearm and hunter education program; and to provide for related matters.

**SENATE BILL NO. 45—**

BY SENATOR SMITH

**AN ACT**

To enact R.S. 56:409, relative to wildlife and fisheries; to authorize the Saline Lake Game and Fish Preserve Commission, and the Grant Parish Police Jury, under the supervision of the Department of Wildlife and Fisheries, to place triploid grass carp in certain lakes; and to provide for related matters.

**SENATE BILL NO. 117—**

BY SENATOR MCPHERSON

**AN ACT**

To amend and reenact R.S. 56:31.1(E) and 39, relative to wildlife violations; to provide for the use of the first two dollars of any penalty or fine imposed for violations involving fish and wildlife in the state; to create the Fish and Wildlife Violations Reward Fund as a special fund in the state treasury; to provide for appropriations from the fund and for the use of monies in the fund; to authorize the Department of Wildlife and Fisheries to execute a cooperative endeavor agreement to administer and implement a fish and wildlife reward program; and to provide for related matters.

**SENATE BILL NO. 120—**

BY SENATOR MCPHERSON

**AN ACT**

To enact R.S. 56:1847(58), (59), (60), (61), and (62), relative to state natural and scenic rivers; to include certain waters within the state natural and scenic rivers system; and to provide for related matters.

**SENATE BILL NO. 132—**

BY SENATOR HOLLIS

**AN ACT**

To amend and reenact R.S. 37:2805(B)(1)(f) and (g), and (E), and 2808 and to repeal R.S. 37:2805(G), relative to chiropractors; to provide for certain licensure requirements; to provide for reciprocity licenses; and to provide for related matters.

**SENATE BILL NO. 146—**

BY SENATOR ELLINGTON

**AN ACT**

To amend and reenact R.S. 9:2801.2, relative to partition of community property; to provide for the valuation of goodwill as an asset in the partition of community property for certain businesses; and to provide for related matters.

**SENATE BILL NO. 164—**

BY SENATOR N. GAUTREAUX AND REPRESENTATIVE E. GUILLORY AND SCHNEIDER

**AN ACT**

To amend and reenact R.S. 14:91.1(A)(2) and to enact R.S. 15:538(D) and 550, relative to sexually violent predators and sexual offenders; to provide that sexually violent predators and sexual

offenders remain at least one thousand feet away from certain locations; to provide for certain probation conditions; to provide with respect to a pilot program for certain sex offenders and violent offenders; and to provide for related matters.

**SENATE BILL NO. 186—**  
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 9:4502 (A)(1), relative to privileges on movables; to provide relative to the privilege for making or repairing movable goods; to provide relative to marine vessels, trailers, and equipment; to provide for remedy for debt due on such items; and to provide for related matters.

**SENATE BILL NO. 199—**  
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 52:5, relative to jurisdiction over land sited in the state but under custody of the United States; to remove the sunset provision for entering into written agreements to cede concurrent jurisdiction to the United States; and to provide for related matters.

**SENATE BILL NO. 371—**  
BY SENATOR LENTINI AND REPRESENTATIVE RICHMOND

AN ACT

To amend and reenact R.S. 40:1299.43(A)(1), (2), (3), (4), and (5), (B)(1), and (C), relative to medical malpractice; to provide relative to future medical benefits; and to provide for related matters.

**SENATE BILL NO. 381 (Duplicate of House Bill No. 792)—**  
BY SENATOR LENTINI AND REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 40:1299.41(A)(16), relative to medical malpractice; to provide relative to the Patient's Compensation Fund; to include students being trained as paramedics under the coverage of such fund; to provide for the definition of "ambulance service"; and to provide for related matters.

**SENATE BILL NO. 382—**  
BY SENATOR LENTINI

AN ACT

To enact R.S. 40:1299.39.2 and 1299.49, relative to medical review panels; to provide relative to state and private medical claims; to provide for such claims for the same patient and the same injury; to limit review to one panel in such cases; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 392—**  
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 40:2116(B)(1) and (D) and to enact R.S. 40:2116(H), relative to the facility need review process; to provide with respect to the facility need review process; to provide with respect to beds in adult residential centers; and to provide for related matters.

**SENATE BILL NO. 433—**

BY SENATOR THEUNISSEN AND REPRESENTATIVE PIERRE  
AN ACT

To enact R.S. 36:610(J) and Subpart A-1 of Part VII of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, comprised of R.S. 56:360.1 through 360.3, relative to non-indigenous aquatic species; to create the Louisiana Aquatic Invasive Species Council and the Louisiana Aquatic Invasive Species Advisory Task Force; to provide for their powers, duties, functions, and responsibilities; and to provide for related matters.

**SENATE BILL NO. 437—**  
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 13:4291(A), (B)(1), and (C), relative to execution; to provide with respect to child support payments; to provide for judgments for such payments; to provide for the initiation of prescription on certain child support judgements; and to provide for related matters.

**SENATE BILL NO. 484—**

BY SENATORS HINES, N. GAUTREAUX AND SCHEDLER  
AN ACT

To enact Chapter 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2801 through 2803, relative to the Louisiana Interagency Task Force on the Future of Family Medicine; to provide for creation of the task force; to provide for definitions; to provide for the composition of the task force; to provide for duties and powers of the task force; to provide for reporting deadlines and a termination date for the task force; and to provide for related matters.

**SENATE BILL NO. 488—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 23:1021(6) and to enact R.S. 23:1021(13), relative to workers' compensation; to provide with respect to definitions; to provide for the definition of "owner operators" who provide transportation services; to exempt "owner operators" from being classified as employees; and to provide for related matters.

**SENATE BILL NO. 550—**

BY SENATOR IRONS AND REPRESENTATIVE RICHMOND  
AN ACT

To amend and reenact R.S. 3:2364(B)(1) and (3) and to enact R.S. 3:2364(D)(6) and (7), relative to the Louisiana Animal Welfare Commission; to provide for the funding, membership, and duties of the commission; and to provide for related matters.

**SENATE BILL NO. 735—**

BY SENATOR MCPHERSON  
AN ACT

To amend and reenact R.S. 40:2117.1(4), relative to licensure of end stage renal disease (ESRD) facilities; to exempt penal and correctional facilities from the requirements of licensure as end stage renal disease (ESRD) facilities; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 810—**  
BY SENATOR FONTENOT

AN ACT

To enact R.S. 33:2721.14, relative to sales and use taxes; to authorize certain parishes to increase sales and use taxes; to provide for voter approval; to provide for an effective date; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Cain                      1 Day

**Adjournment**

Senator Bajoie moved that the Senate adjourn until Wednesday, June 9, 2004, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Wednesday, June 9, 2004.

GLENN A. KOEPP  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk